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Regulations

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

[2d Supp. to General Order C-26]

PART 90—DEPARTMENTAL ORGANIZATION AND AUTHORITY

PART 150—ARREST AND DEPORTATION AMENDMENT OF REGULATIONS GOVERNING THE ARREST AND DEPORTATION OF ALIENS

Pursuant to the authority contained in section 19 of the Act of February 5, 1917 (39 Stat. 889; 8 U.S.C. 155); section 1 of Reorganization Plan No. V (5 F.R. 2223); section 37 (a) of the Act of June 28, 1940 (54 Stat. 675; 8 U.S.C. 458); section 161 of the Revised Statutes, as amended (5 U.S.C. 22) and all other authority conferred by law, the following regulations are hereby promulgated.

For the duration of the War which the United States declared existed against Japan on December 8, 1941, and against Germany and Italy on December 11, 1941, alien seamen who entered the United States on or after September 1, 1939, or who shall hereafter enter the United States and against whom deportation proceedings have been or may be instituted shall be allowed a period of 3 days in which to file exceptions or waive the filing of exceptions to the proposed findings, conclusions, and order of the Presiding Inspector and to submit a brief, if desired, in lieu of the time specified in § 150.7 (e) of this title.^{1,2} If oral argument before the Board of Immigration Appeals is requested in behalf of such alien seamen, the time for such argument shall be fixed not more than 3 days from the day notice was given to the alien of the proposed findings, conclusions, and order of the Presiding Inspector in lieu of the time specified in § 90.5 of this title.³

FRANCIS BIDDLE,
Attorney General.

JUNE 11, 1942.

[F. R. Doc. 42-5736; Filed, June 18, 1942;
5:22 p. m.]

¹ 6 F.R. 71.

² Formerly § 19.7 (e), 6 F.R. 229.

³ 5 F.R. 3503.

TITLE 10—ARMY: WAR DEPARTMENT

Chapter IV—Military Education

PART 45—AVIATION INSTRUCTION AT NON-FEDERAL ESTABLISHMENTS

SELECTION OF INSTITUTIONS

That portion of § 45.3 preceding paragraph (a) is hereby amended to read as follows:

§ 45.3 *Selection of institutions.* The selection of an institution to give instruction to military students will be made by the Commanding General, Army Air Forces. (53 Stat. 555; 10 U.S.C. 298a) [Par. 4, AR 350-3500, Dec. 31, 1940, as amended by Cir. 173, W.D., June 4, 1942]

[SEAL]

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-5730; Filed, June 18, 1942;
1:07 p. m.]

Chapter VII—Personnel

PART 73—APPOINTMENT OF COMMISSIONED OFFICERS, WARRANT OFFICERS, AND CHAPLAINS

AGE AND CITIZENSHIP REQUIREMENTS

Paragraph (a) of § 73.204¹ is hereby amended to read as follows:

§ 73.204 *Age and citizenship requirements.* (a) An officer of the Army of the United States must at the time of appointment be a citizen of the United States or of the Philippine Islands, or a citizen of a cobelligerent or friendly country who otherwise possesses the same qualifications as a citizen of the United States, and between the ages of 18 and 60 years. (Ch. 414, 55 Stat. 728; 10 U.S.C. Sup. 484) [Par. 6a, AR 605-10, Dec. 10, 1941, as amended by Cir. 173, W.D., June 4, 1942]

[SEAL]

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-5729; Filed, June 18, 1942;
1:07 p. m.]

¹ 7 F.R. 3957.

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PART 78—DECORATIONS, MEDALS, RIBBONS AND SIMILAR DEVICES

ARMY OF OCCUPATION OF GERMANY MEDAL

Section 78.45 is hereby added as follows:

§ 78.45 *Army of Occupation of Germany Medal*—(a) *General*—(1) *Who may earn*. Army of Occupation of Germany Medals may be awarded to officers and enlisted men of the armed forces.

(2) *Service required*. The issuance of the Army of Occupation of Germany Medal is authorized for officers, Army nurses, warrant officers, and enlisted men of the armed forces who served in Germany or Austria-Hungary during the period of occupation at any time during the inclusive period from November 12, 1918, to July 11, 1923: *Provided*, That no medal will be issued to any person who has, during or subsequent to such service, been dismissed or discharged other than honorably from the service, or deserted.

(3) *Limitation on number of medals awarded*. Not more than one Army of Occupation of Germany Medal will be awarded to any individual.

(b) *Original supply*—(1) *Gratuitous issue*. Original issue of Army of Occupation of Germany Medals, accompanying ribbons, and lapel buttons will be made gratuitously.

(2) *To whom furnished*. Army of Occupation of Germany Medals are furnished only to:

(i) Members and former members of the armed forces who have rendered the required service.

(ii) The nearest of kin surviving of deceased persons who would have been eligible if living. By nearest of kin is meant the first of the following who are living: widow, (if not remarried), eldest son, eldest daughter, father, mother, eldest brother, eldest sister, eldest grandchild.

(3) *By whom furnished, method of delivery*. (i) For officers, Army nurses, warrant officers, and enlisted men of the armed forces, the medals will be furnished upon application on W.D., A.G.O. Form No. 0714 (Application for Service Medal) to The Adjutant General, Washington, D. C. If not entitled to the medal the applicant will be so advised. If entitled to the medal, The Adjutant General will authorize The Quartermaster General to issue the medal direct to the applicant.

(ii) Officers, Army nurses, warrant officers, enlisted men, and other personnel of the armed forces not on active duty or who have been honorably separated therefrom or returned to an inactive status should make application for the medal on W.D., A.G.O. Form No. 0714 to The Adjutant General, Washington, D. C.

(4) *Death before delivery*. In case an individual dies before delivery has been made to him of an Army of Occupation of Germany Medal the medal will be returned for cancelation or delivery to the next of kin, as the case may be.

(c) *Action to be taken in case of loss*. In case of loss of an Army of Occupation

of Germany Medal, the loser will at once make all reasonable efforts to recover it. If in the service he will also inform his immediate commanding officer, who will cause an investigation to be made with a view to determining the circumstances of loss and with a view to recovering the medal.

(d) *Duplicates*—(1) *When furnished*. Under authority contained in the act of May 12, 1928 (45 Stat. 500; 10 U.S.C. 1415b), a duplicate of an Army of Occupation of Germany Medal will be furnished in case the original has been lost, destroyed, or rendered unfit for use without fault or neglect on the part of the person to whom originally presented.

(i) *By gratuitous issue*. To persons in the armed forces.

(ii) *By sale*. To all others.

(2) *How obtained*—(i) *Application for; when made; to whom addressed*.

(a) In the cases of persons in the armed forces, and in other cases when the loss is the result of fire, tornado, earthquake, shipwreck, or similar catastrophe, application may be made immediately; otherwise, the application should not be made until after the lapse of 3 months.

(b) Applications should be addressed to The Adjutant General.

(i) *Form of application*. (a) If from a person in the armed forces, the application will be in the form of a letter.

(b) If from a person not in the military service, it will be on a blank form furnished by The Adjutant General.

(iii) *Matter to accompany application*. In any case the application will be supported by proof in the form of an affidavit setting forth the circumstances attending the loss or destruction, showing that such loss or destruction was without fault or neglect on the part of the applicant, and what efforts, if any, were made toward recovery.

(iv) *How application forwarded*. (a) If the application is from a person in the armed forces, it will be forwarded through channels to The Adjutant General, together with recommendations as to issue of a duplicate.

(b) If from a person not in the armed forces, it will be forwarded direct to The Adjutant General.

(3) *Purchase from authorized dealers*. If the applicant so desires, he may purchase a duplicate Army of Occupation of Germany Medal from any of the individuals, firms, or corporations authorized under the provisions of §§ 7.1 to 7.9 of this title to sell or manufacture and sell service medals, etc., by exhibiting some official paper or document, or a letter from an officer of the War Department or other official document containing definite proof of his authority to wear the Army of Occupation of Germany Medal.

(e) *Exhibition purpose*. Upon approval by the Secretary of War, samples of Army of Occupation of Germany Medals awarded by the War Department will be furnished at cost prices, plus transportation and packing charges (except to the War Department or a governmental agency), to museums, libraries, historical, numismatic, and military societies, or in-

stitutions of such a public nature as will insure an opportunity to the public to view the exhibits. Except for a War Department or a governmental agency exhibit, all sample Army of Occupation of Germany Medals so furnished will be engraved at the expense of the purchaser with the words "For exhibition purposes only." (Act of Nov. 21, 1941, Pub. Law 322, 77th Cong.) [Cir. 176, W.D., June 6, 1942]

[SEAL]

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-5728; Filed, June 18, 1942;
1:07 p. m.]

TITLE 12—BANKS AND BANKING

Chapter I—Bureau of the Comptroller of the Currency

PART 3—NATIONAL BANK LOANS SECURED OR COVERED BY GOVERNMENTAL GUARANTIES

DEFINITION OF TERMS

Pursuant to the authority vested in the Comptroller of the Currency by section 8 of the Act of June 11, 1942 (Pub. Law 603, 77th Cong.) which amended R.S. 5200; 12 U.S.C. 84, by adding an exception 10 thereto, the term "unconditional", as used therein, is defined as follows:

§ 3.1 *Definition of terms.* (a) The requirement of exception 10 that a guaranty or a commitment or agreement to take over or to purchase (hereinafter referred to collectively as "agreement") must be "unconditional" means that the protection afforded to the bank thereby, against loss resulting from factors beyond its control, must not be substantially less than it would be in the absence of all provisions of the agreement which might be regarded as conditions. This protection is not materially diminished or impaired by procedural requirements (relating, for example, to the giving of notice to the guarantor or other parties), requirements of good faith on the part of the bank, and others of the sort mentioned hereinafter; and therefore the presence of such provisions or conditions would not prevent an agreement from being unconditional for the purposes of this statute.

(b) On the other hand, an agreement is *not* unconditional within the meaning of exception 10 if liability thereunder (1) is contingent upon the happening of an event or condition precedent not within the control of the bank, or (2) is subject to defeasance by a contingency or condition subsequent not within the control of the bank. In other words, an agreement is not unconditional if the obligation of the guarantor to perform its agreement would not come into being until, or might be terminated or diminished by, the occurrence or nonoccurrence of a contingency beyond the control of the bank. Thus, a commitment to take over a loan only in the event of default is not unconditional, since liabil-

ity thereunder is contingent upon the happening of an event not within the control of the bank. Furthermore, the condition mentioned, like most others of this type, also would violate the requirement of exception 10 that the bank must be in a position, *at any time during the life of the loan*, to demand performance of the agreement and to receive payment in cash, in full, within sixty days.

(c) The following are examples of provisions the inclusion of which would not prevent an agreement from being unconditional within the meaning of the statute:

(1) Demand for performance of guarantor's agreement to be made by bank not later than a specified time after maturity of the loan.

(2) Loan instrument and collateral thereto to be held by bank on behalf of guarantor, and to be delivered, assigned or endorsed to guarantor or its agent upon demand.

(3) Guarantor or its agent to be notified by bank of releases, sales, or substitutions of collateral, extensions and renewals of the obligation, occurrence of defaults, or assignment of bank's interest in the loan, or of other matters affecting the status of the loan.

(4) Obligation and collateral to be made available for inspection by guarantor or its agent at any time, and all information in possession of bank regarding borrower and loan to be made available to guarantor or its agent upon demand.

(5) Consent of guarantor to be obtained by bank before accelerating the maturity of the obligation, agreeing to material alteration or new or extension of obligation, agreeing to releases, sales or substitutions of collateral, suing borrower, or foreclosing upon collateral.

(6) Good faith toward guarantor to be exercised by bank in handling of all aspects of the loan.

(7) Genuineness of borrower's signature to be warranted by bank.

(8) Fees to be paid by bank to guarantor as compensation for the guaranty.

(9) Guarantor to have option to purchase obligation from bank at any time on payment in cash of the unpaid principal and accrued interest and other charges.

(10) Guarantor's share of payments of principal and interest to be received by bank and paid by it to guarantor.

The foregoing list is by no means exhaustive, but merely exemplifies the numerous sorts of provisions frequently included in guaranties and take-over agreements, which do not diminish the substantial protection afforded by the agreement.

(d) The foregoing definition, issued this 18th day of June, 1942, may be modified, expanded, restricted, superseded or rescinded at any time. (R.S. 5200 as amended; Pub. Law 603, 77th Cong.; 12 U.S.C. 84)

[SEAL]

PRESTON DELANO,
Comptroller of the Currency.

[F. R. Doc. 42-5733; Filed, June 18, 1942;
3:19 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 3803]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

A. E. STALEY MANUFACTURING COMPANY,
ET AL.

§ 3.45 (c) *Discriminating in price—Direct discrimination—Charges and prices:* § 3.45 (e) *Discriminating in price—Indirect discrimination—Charges and prices—Classifications generally.*

In connection with offer, etc., in commerce, of glucose or corn syrup unmixed, (i) directly or indirectly discriminating in price between different purchasers of glucose or corn syrup unmixed of like grade and quality in the manner and degree set forth in paragraph three of the findings as to the facts herein, i. e., as there in detail set forth, discriminating through system of prices or pricing resulting in differentials which do not reflect actual differences in transportation or delivery costs to respondents, and brought about through sales of glucose of like grade and quality, fulfilled by shipments from respondents' Decatur, Illinois plant to purchasers in various cities, at differing delivered prices, based upon respondents' Chicago tank car price, with addition thereto of the amount of the railroad tariff from Chicago to purchasers' locations in particular cities concerned], or in any manner or degree substantially similar thereto, or from continuing or resuming any such discriminations in price; (2) discriminating in price between different purchasers of glucose in the manner or degree set out in paragraph four of the findings as to the facts herein, i. e., as there in detail set forth, discriminating through preferential operation or application of respondents' booking system under which purchasers, following announcement of new price increase, are granted five to ten day option of purchase at current price provided shipment is made within thirty days, by use of practices under which some purchasers benefit more than others and are enabled to purchase glucose at substantially lower prices than other buyers are paying on purchases concurrently made, so that favored buyers receive price advantages varying from five cents to fifty-five cents per cwt. of glucose; in, among other things, (a) permitting large buyers with unused balances booked by them an extension of delivery time in response to threat of taking business elsewhere; (b) accepting statements of orders booked by their own brokers or salesmen, without proper confirmation as to fact of such orders; (c) making offers to take business at the lower prices preceding the advance, long after expiration of the time for so doing; and (d) making sales or offers at lower tank car prices to buyers with no facilities for such purchasing, while making delivery in tank wagon quantities from their filling station stocks at the usual price differential, and continuing such deliveries at older and lower price for several months after price advance in-

volved], or in any manner or degree substantially similar thereto, or otherwise discriminating in price between purchasers by means of the booking or entry of orders for glucose or corn syrup unmixed where the price differences between purchasers resulting therefrom substantially approximate or exceed those set out in paragraphs three and four of the findings as to the facts herein; and (3) otherwise discriminating in price as between purchasers of glucose or corn syrup unmixed of like grade and quality where the effect may be substantially to lessen competition or tend to create a monopoly in the line of commerce in which customers of respondents are engaged, or to injure, destroy, or prevent competition with any person who either grants or receives the benefit of such discrimination; prohibited, subject to the provision, however, as respects second prohibition above, that same shall not prohibit actual sales of glucose or corn syrup unmixed for future delivery which do not involve such discriminations in price at the time of actual sale; and subject to further provision, as respects said third prohibition above, that same shall not prevent price differences which make only due allowance for differences in the cost of manufacture, sale, or delivery resulting from differing methods or quantities in which said glucose or corn syrup is to such purchasers sold or delivered: *And provided further*, That this shall not prevent respondents from showing that any lower price to any purchaser was made in good faith to meet an equally low price of a competitor of respondents. (Sec. 2 (a), 49 Stat. 1526; 15 U.S.C., Sup. IV, sec. 13 (a)) [Cease and desist order, A. E. Staley Manufacturing Company, et al., Docket 3803, June 10, 1942]

In the Matter of A. E. Staley Manufacturing Company, The Staley Sales Corporation

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 10th day of June, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondents, certain stipulations as to the facts read into the record, exhibits introduced in evidence, and briefs in support of and in opposition to the complaint, and the Commission having made its findings as to the facts and its conclusion that respondents have violated subsection (a) of Section 2 of "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914 (Clayton Act), as amended by Act of June 19, 1936 (Robinson-Patman Act):

It is ordered, That respondents A. E. Staley Manufacturing Company, a corporation, and The Staley Sales Company, a corporation, and their officers, directors, representatives, agents, and employees, in or in connection with the offering for sale, sale, and distribution of glucose or corn syrup unmixed in commerce, as "commerce" is defined in the aforesaid Clayton Act, do forthwith cease and desist from:

(1) Directly or indirectly discriminating in price between different purchasers of glucose or corn syrup unmixed of like grade and quality in the manner and degree set forth in Paragraph Three of the findings as to the facts herein, or in any manner or degree substantially similar thereto, or from continuing or resuming any such discriminations in price;

(2) Discriminating in price between different purchasers of glucose in the manner or degree set out in Paragraph Four of the findings as to the facts herein, or in any manner or degree substantially similar thereto, or otherwise discriminating in price between purchasers by means of the booking or entry of orders for glucose or corn syrup unmixed where the price differences between purchasers resulting therefrom substantially approximate or exceed those set out in Paragraphs Three and Four of the findings as to the facts herein: *Provided*, That this shall not prohibit actual sales of glucose or corn syrup unmixed for future delivery which do not involve such discriminations in price at the time of actual sale;

(3) Otherwise discriminating in price as between purchasers of glucose or corn syrup unmixed of like grade and quality where the effect may be substantially to lessen competition or tend to create a monopoly in the line of commerce in which customers of respondents are engaged, or to injure, destroy, or prevent competition with any person who either grants or receives the benefit of such discrimination: *Provided*, That this shall not prevent price differences which make only due allowance for differences in the cost of manufacture, sale, or delivery resulting from differing methods or quantities in which said glucose or corn syrup is to such purchasers sold or delivered: *And provided further*, That this shall not prevent respondents from showing that any lower price to any purchaser was made in good faith to meet an equally low price of a competitor of respondents.

It is further ordered, That respondents shall, within sixty (60) days after the service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-5756; Filed, June 19, 1942;
11:48 a. m.]

[Docket No. 3896]

PART 3—DIGEST OF CEASE AND DESIST
ORDERS

SEGAL LOCK AND HARDWARE COMPANY, INC.
ET AL.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product*: § 3.48 (b) *Disparaging competitors and their products—Goods—Performance*: § 3.66 (h) *Misbranding or mislabeling—Qualities or properties*: § 3.69 (b) *Misrepresenting oneself and goods—*

Goods—Qualities or properties: § 3.96

(a) *Using misleading name—Goods—Qualities or properties*. In connection with offer, etc., in commerce, of respondents' locks and lock cylinders, (1) using the words "pick proof", or any other word or words of similar import, to designate or describe respondents' locks or lock cylinders, or otherwise representing, directly or by implication, that respondents' lock or lock cylinders cannot be picked; and (2) conducting demonstrations purporting to show that locks or lock cylinders sold by respondents' competitors can be picked, unless in connection with such demonstrations disclosure is made that respondents' locks and lock cylinders can also be picked; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Sup. IV, sec. 45b) [Cease and desist order, Segal Lock and Hardware Company, Inc., et al., Docket 3896, June 12, 1942]

In the Matter of Segal Lock and Hardware Company, Inc., a Corporation; Norwalk Lock Company, a Corporation; Louis Segal, an Individual, and Jack Klein, an Individual Trading as Tested Appliances Company

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 12th day of June, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answers of respondents, testimony and other evidence taken before John W. Addison, a trial examiner of the Commission theretofore duly designated by it, in support of the allegations of the complaint and in opposition thereto, report of the trial examiner upon the evidence and the exceptions to such report, briefs in support of and in opposition to the complaint, and oral argument, and the Commission having made its findings as to the facts and its conclusion that certain of the respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That respondents Segal Lock and Hardware Company, Inc., a corporation, Norwalk Lock Company, a corporation, their officers, and Louis Segal, individually and as an officer of said corporations, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of respondents' locks and lock cylinders in commerce, as commerce is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Using the words "pick proof", or any other word or words of similar import, to designate or describe respondents' locks or lock cylinders, or otherwise representing, directly or by implication, that respondents' locks or lock cylinders cannot be picked;

(2) Conducting demonstrations purporting to show that locks or lock cylinders sold by respondents' competitors can be picked, unless in connection with such demonstrations disclosure is made that

respondents' locks and lock cylinders can also be picked.

It is further ordered, That said respondents shall, within sixty (60) days after the service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

It is further ordered, That the complaint herein be, and it hereby is, dismissed as to respondent Jack Klein.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-5767; Filed, June 19, 1942;
11:48 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1355]

PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

REVISION OF CERTAIN PRICE CLASSIFICATIONS, ETC.

Findings of fact, conclusions of law, memorandum opinion and order of the Acting Director in the matter of the petition of District Board No. 1 for revision of the price classifications and minimum prices effective for the coals of Mine Index Nos. 224, 503, 762, 952, 1422, 2130, 2637, 2847, 3299, and for certain change of seam designations and subdistrict numbers.

This is a proceeding instituted upon an original petition filed by District Board No. 1 with the Bituminous Coal Division on March 14, 1942, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937. The petition requests revisions of the price classifications and minimum prices effective for the coals of Mine Index Nos. 224, 503, 762, 952, 1422, 2130, 2637, 2847 and 3299, changes of seam designations listed for Mine Index Nos. 762, 3299 and 2989, and a change in the subdistrict number listed for Mine Index No. 952.

Pursuant to an Order of the Acting Director dated April 9, 1942, and after due notice to all interested persons, a hearing was held on May 6, 1942, before Charles O. Fowler, a duly designated Examiner of the Bituminous Coal Division, at a hearing room thereof, at which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard. District Board No. 1, the petitioner, and Consumers' Counsel appeared. The preparation and filing of a report by the Examiner were waived and the matter was thereupon submitted to the Acting Director.

The petition prays for both temporary and permanent orders in this proceeding. Since the matter is being disposed of on a final basis, it is unnecessary to consider the question of temporary relief.

1. *Cambria No. 3 Mine, Mine Index No. 2130, of Cambria Fuel Company.* Petitioner requests a revision of price classifications and minimum prices for the Size Group 3 coals of this mine from "E"

to "B" for all shipments except truck and from \$2.25 to \$2.40 per net ton for truck shipments. The representative of the District Board testified that the Cambria Fuel Company made no objections to the increases proposed for its coals.

Cambria No. 3 Mine operates in the D Seam of Subdistrict 37. Its coals are low volatile and very friable. The witness compared a representative analysis of the Cambria coals with an average analysis of other coals produced in the D Seam of Subdistrict 37 as shown in Exhibit No. 459 of Exhibit P in General Docket No. 15; these coals are classified "B" for rail shipments. It appears that the ash, sulphur and ash softening temperature of the coals are substantially similar. The witness testified that the variance in moisture content, as shown by the comparison, is due to the fact that the moisture test for the average analysis was made on an air-dry basis rather than on an as-received basis; and if made on an as-received basis, the moisture contents would be substantially the same. He further testified that the B. t. u. in the average analysis is higher than that of the Cambria coals because it is affected by the moisture, and that the B. t. u. contents would be similar if the moisture had been tested on an as-received basis.

The Cambria Fuel Company has increased production at the mine and desires to develop the productive capacity to approximately 2,000 tons per day.¹ The coals of the Cambria #3 Mine move principally by rail in direct competition with coals of other D Seam mines moving by rail into industrial markets. Very little of the Cambria coals move by truck.

On the basis of the evidence, I find that the Size Group 3 coals of the Cambria #3 Mine are comparable to other D Seam coals classified "B" and should be reclassified from "E" to "B" for rail shipments and from \$2.25 to \$2.40 per net ton for truck shipments. Such a revision places the Cambria coals on a parity with competitive coals moving to the same markets.

2. *Thayerton Mine, Mine Index No. 503, of Ferncliff Coal Corporation.* The petition proposes a reduction in the price classifications and minimum prices for the Size Group 5 coals of this mine from "H" to "J" for all shipments except truck and from \$1.90 to \$1.85 per net ton for truck shipments.²

¹The witness testified that under the former owner, the mine had a small production, loading about 5 tons a day. For this reason it was not practical to secure a representative analysis of the coal until the mine was acquired by the present operator.

²The Ferncliff Coal Corporation requested the District Board to propose revisions for its coals in Size Groups 1 to 4. However, the District Board is of the opinion that the present price classifications and minimum prices are proper. For this reason petitioner does not propose price revisions for coals in these size groups, and introduced analyses of the coals into evidence to substantiate its opinion. The representative of the District Board testified that the Ferncliff Coal Corporation has not objected to the failure of the Board to propose revisions.

The Thayerton Mine operates in the E Seam of Subdistrict 11.

The analytical qualities of the Thayerton coals were compared with those of average District 1 coals in Size Group 5, classified "H" and "J," from which it appears that the Thayerton coals are analytically comparable to the Size Group 5 "J" coals. The analysis of the Thayerton coals is as follows: ash, 11.35; sulphur, 1.98 B.t.u., 12682; and ash softening temperature, 2160 degrees. This compares with the analysis of the average "J" coal, which is: ash, 10.17; sulphur, 2.86; B.t.u., 13341; and ash softening temperature, 2343 degrees; whereas the average "H" coal shows an ash of 9.36; sulphur, 2.72; B.t.u., 13,768; and ash softening temperature, 2312 degrees.

The witness testified that the Ferncliff Coal Corporation has been unable to move its Size Group 5 coals into commercial markets since May 1941. The Corporation's only outlet for these coals has been to sell them as altered run of mine for railroad fuel use. The inability to market the Size Group 5 coals has resulted in a curtailment of operating time at the mine and a reduction in productive capacity. The Thayerton Mine operates only about half-time, whereas other mines in Subdistrict 11 work almost full time.

Upon the basis of the evidence, I find that the Size Group 5 coals of the Thayerton Mine are analytically comparable to coals classified "J" and should be reclassified from "H" to "J" for rail shipments and from \$1.90 to \$1.85 per net ton for truck shipments. Such a revision will preserve the fair competitive opportunities of all the coals.

3. *Imperial No. 2 Mine, Mine Index No. 224, of W. O. Gulbranson, Inc.* The petition requests revisions of the price classifications and minimum prices for the coals in Size Groups 1 to 5 of this mine from "D" to "E" for all shipments except truck and from \$2.55, \$2.30, \$2.30, \$2.20 and \$2.10 to \$2.50, \$2.25, \$2.25, \$2.15 and \$2.05 per net ton for truck shipments, and proposes the same price classifications and minimum prices for such coals when mixed with those of Mine Index No. 225.

Imperial No. 2 Mine is located in the B Seam of Subdistrict 13. The witness testified that when the coals of this mine were originally classified and priced, the operator was working only the superior upper bench of the B Seam. At the present time, the operator has changed the method of mining by also working the lower bench of the Seam, which is inferior to the upper bench, mixing the coals from the two benches. As a result, the coals produced from the upper and lower benches are of inferior quality to those mined from the upper bench only. However, the operator is not presently working both benches in the same area at the same time, so that although the coals produced are of poorer quality than coals classified "D", the witness is of the opinion that the coal which will actually be produced by the mine when fully developed will not be as poor as the present analysis indicates.

The witness further testified that if the coals are mixed with the coals of Mine Index No. 225, classified "E" for rail shipments, they cannot move at a "D" classification.

Upon the basis of the evidence, I find that the coals of the Imperial #2 Mine are inferior to "D" coals and that an "E" classification properly expresses the relative market value of such coals. The price classifications and minimum prices should be established as proposed for the coals of the Imperial #2 Mine.

Price classifications and minimum prices are not established herein for the coals of Mine Index No. 224 when mixed with the coals of Mine Index No. 225, since the prices applicable for a mixture of coals are covered by Price Instruction 14 of the Schedule of Effective Minimum Prices for District No. 1 for All Shipments Except Truck and by Price Instruction 7 of the Schedule of Effective Minimum Prices for District No. 1 for Truck Shipments. These Price Instructions, adopted in Docket No. A-1255, provide that:

When coals produced by a single code member are mixed, the minimum price applicable to such mixture shall be the same as that for coal contained in the mixture having the highest price classification unless, after hearing, a special price classification is established for said mixture. When such mixture is sold, the invoices shall properly identify the coal.

4. *Hotchkiss Mine, Mine Index No. 1422, Hotchkiss & Sons.* The petition requests a revision of the price classifications and minimum prices for the coals in Size Group 3 of this mine from "G" to "F" for all shipments except truck and from \$2.15 to \$2.20 per net ton for truck shipments.

Hotchkiss Mine operates in the Pittsburgh Seam in Subdistrict 41. Mines in this Seam of Subdistrict 41 which are located in the vicinity of Berlin are classified "G" for rail shipments of Size Group 3 coals, while mines located in the vicinity of Myersdale are classified "F". At the time the Hotchkiss Mine was originally classified and priced, information indicated that the mine was located near Berlin; its Size Group 3 coals were classified and priced accordingly. Investigation now discloses that the mine is located near Myersdale and adjoins the mine of the Salisbury Construction Company, classified "F" in Size Group 3 for rail shipments and priced at \$2.20 per net ton for truck shipments.

Upon the basis of the evidence, I find that the price classifications and minimum prices of the coals in Size Group 3 of the Hotchkiss Mine should be revised from "G" to "F" for all shipments except truck and from \$2.15 to \$2.20 per net ton for truck shipments, in order to conform with those established for coals produced by other mines located in the vicinity of Myersdale.

5. *Wilpat Mine, Mine Index No. 2637, of Patterson & Williams. Reams Mine, Mine Index No. 2847, of Samuel G. Reams.* The petition requests a reduction in minimum prices from \$2.25 to \$2.15 per net ton for truck shipments of the Size Group 3 coals of both the mines,

and a reclassification from "E" to "G" for all shipments except truck for the Size Group 3 coals from the Wilpat Mine.

The witness testified as to these two mines simultaneously. The Wilpat and Reams Mines adjoin each other and operate in the B Seam of Subdistrict 14. They are located in the same tract as the Verdon No. 1 Mine, Mine Index No. 2723, and the Ruth No. 1 Mine, Mine Index No. 960, which have a minimum price of \$2.15 per net ton for truck shipments of Size Group 3 coals. In addition, the Ruth No. 1 Mine is classified "G" for rail shipments.

Analyses were introduced comparing the coals of the Wilpat and Reams Mines with those of the Verdon No. 1 and Ruth No. 1 Mines and with the average "E" and "G" coals produced in the B Seam of Subdistrict 14, from which it appears that the Wilpat and Reams coals are comparable to the coals classified "G."

The witness testified that the operators of both the mines have had difficulty in marketing their coals at the effective classifications and minimum prices.

On the basis of the evidence, I find that the Size Group 3 coals produced at the Reams and Wilpat Mines are comparable to B Seam coals classified "G" and that the minimum prices for these coals should be reduced to \$2.15 per net ton for truck shipments, and that the price classification be reduced to "G" for all shipments except truck for the Wilpat Mine in order to conform with those effective for comparable coals.

6. *Fox Mine, Mine Index No. 2989, of Rimersburg Coal Mining Company.* The petition requests a change of the seam designation listed for this mine from B to E.

The Fox Mine was originally classified as operating in the B Seam in Subdistrict 4. Investigation discloses that the mine is actually located in the E Seam. Therefore, I find that the seam listing for the Fox Mine should be changed from B to E.

Since the B and E Seams have the same price classifications and minimum prices for rail and truck shipments, the prices remain as established.

7. *Rolling Stone Mine, Mine Index No. 762, of the Rolling Stone Company.* The petition proposes a revision in the price classification and minimum price for the Size Group 3 coals of this mine from "E" to "H" for all shipments except truck and from \$2.25 to \$2.10 per net ton for truck shipments.

Rolling Stone Mine is a strip mine and was originally classified in the E Seam of Subdistrict 8, whereas it is actually located in the C Seam. Coals produced in the C Seam are classified "F" for all size groups.

The witness testified that the mine is not presently operating. He stated that the analyses presented were taken from pit samples and was of the opinion that these samples were representative of the quality of coal which would be produced when the mine is operating. The witness further testified that the Rolling Stone coals have lower sulphur and B. t. u. contents than the average Size Group 3 "F" coals mined in the C Seam. He also stated that although the Rolling

Stone coals are similar in ash content to the average "F" coals, they are not as marketable as the average "F" coals.

On the basis of the evidence, I find that the seam listing of the Rolling Stone Mine should be changed from E to C, although the petition does not so request. I further find that the price classification and minimum prices for the Size Group 3 coals should be modified from "E" to "H" for all shipments except truck and from \$2.25 to \$2.10 per net ton for truck shipments. Such price classification and minimum price will properly express the relative market value of all the coals.

8. *Straitiff No. 6E Mine, Mine Index No. 952, D. W. Straitiff.* The petition requests a change in subdistrict number from 5 to 4 and a revision of price classifications and minimum prices for the coals in Size Groups 4 and 5 of this mine from "G" to "H" for all shipments except truck and from \$2.05 and \$1.95 to \$2.00 and \$1.90 per net ton, respectively, for truck shipments.

In Docket No. A-1082 Straitiff Mine is classified in Subdistrict 5. Investigation discloses that this mine is located in Subdistrict 4. Therefore, I find that the mine listing should be changed from Subdistrict 5 to Subdistrict 4. I further find that the price classifications and minimum prices for the coals in Size Groups 4 and 5 should be modified, as proposed, in order to conform with those effective for analogous coals produced by other mines in Subdistrict 4.

9. *Servey No. 7 Mine, Mine Index No. 3299, of Zacherl Coal Company.* The petition requests a change in seam designation from the B to the A' Seam and revisions of minimum prices for coals in Size Groups 1 to 5, inclusive, from \$2.45, \$2.20, \$2.20, \$2.10 and \$2.00 to \$2.40, \$2.15, \$2.15, \$2.05 and \$1.95 per net ton, respectively, for truck shipments.

Servey No. 7 Mine was originally classified in the B Seam of Subdistrict 1, with the same minimum prices for truck shipments as other B Seam mines shipping coals by truck. Investigation discloses that the mine is located in the A' Seam. Accordingly, I find that the seam designation for the Servey No. 7 Mine should be changed from the B to the A' Seam, and that the minimum prices for truck shipments should be modified, as proposed, in order to conform with those established for other coals produced in the A' Seam.

Upon the basis of the record, I find that revisions of the price classifications and minimum prices and changes in seam designations and subdistrict number listing, as set forth, are proper and will effectuate the purposes of sections 4 II (a) and (b) of the Act and will comply with all the standards thereof.

Now, therefore, it is ordered, That § 321.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 321.24 (*General prices*) is amended by adding thereto Supplement T, which supplements are herein-after set forth and hereby made a part hereof.

Dated: June 10, 1942.

[SEAL]

DAN H. WHEELER,
Acting Director.

DISTRICT NO. 1

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions, and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 Alphabetical list of code members—Supplement R

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group numbers]

Mine index No.	Code member	Mine name	Sub-district No.	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5
2130	Cambria Fuel Company	Cambria No. 3	37	D	Coleman, Pa.	B&O	100	G		B		
503	Fennell Coal Corp.	Thayerton	11	E	Thayerton, Pa.	P&S	119	G	G	G	G	J
224	Gulbranson, Inc., W. O.	Imperial No. 2	13	B	West Moshannon, Pa.	PRR	45	E	E	E	E	E
1422	Hotchkiss & Sons, Andrew (Andrew Hotchkiss)	Hotchkiss	41	Pittsburgh	Hocking Jet., Pa.	B&O	100			F		
2637	Patterson & Williams (Arthur Williams)	Wilpat	14	B	Oscola Mills, Pa.	PRR	45			G		
2389	Rimersburg Coal Mining Co., Inc.	Fox	4	E	Reidsburg, Pa.	NYC						
762	Rolling Stone Coal Company (Edward T. Kelley)	Rolling Stone (Strip)	8	O	Rimersburg, Pa.	PRR	91	G	G	G	H	H
952	Stratiff, D. W.	Stratiff No. 6-E	4	E	Mowry, Pa.	NYC	44			H		
					Hawtborn, Pa.	PRR	75	G	G	G	H	H

FOR TRUCK SHIPMENTS

§ 321.24 General prices—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Sub. district No.	County	Seam	A 11 double screened top size 2" and over	Double screened top size 2" and under	Run of mine mod. sized R/M	2" and under slack	3/4" and under slack
Cambria Fuel Company	2130	Cambria No. 3	37	Somerset	D	240	215	240	215	215
Fennell Coal Corp.	503	Thayerton	11	Armstrong	E	240	215	215	205	185
Gulbranson, Inc., W. O.	224	Imperial No. 2	13	Clearfield	B	250	225	225	215	205
Hotchkiss & Sons, Andrew (Andrew Hotchkiss)	1422	Hotchkiss	41	Somerset	Pittsburgh			220		
Patterson & Williams (Arthur Williams)	2637	Wilpat	14	Clearfield	B			215		
Reams, Samuel G.	2347	Reams	14	Clearfield	B			215		
Rimersburg Coal Mining Co., Inc.	2989	Fox	4	Clarion	E	240	215	215	200	190
Rolling Stone Coal Company (Edward T. Kelley)	762	Rolling Stone (Strip)	8	Clearfield	O			210		
Stratiff, D. W.	952	Stratiff No. 6-E	4	Jefferson	E	240	215	215	200	190
Zachert Coal Co.	3299	Servey No. 7	1	Clarion	A	240	215	215	205	195

[F. R. Doc. 42-5717; Filed, June 18, 1942; 10:42 a. m.]

[General Docket No. 12]

PART 317—REGISTRATION OF DISTRIBUTORS;
MAXIMUM DISCOUNTS; REGISTRATION OF
FARMERS' COOPERATIVE ORGANIZATIONS

AMENDMENT OF DEFINITION OF "CARLOAD
LOT"

An order approving and adopting, with modification, proposed findings of fact and conclusions of law of the Examiner, and revising and modifying Part 317, registration of distributors: maximum discounts: registration of farmers' cooperative organizations in the matter of prescribing due and reasonable maximum discounts or price allowances by code members to "distributors" under section 4 Part II (h) of the Bituminous Coal Act of 1937, and establishing rules and regulations for the maintenance and observance by distributors in the resale of coal, of the prices and marketing rules and regulations provided by section 4 of the act in re petition of New England Coal and Coke Company, registered distributor, certificate No. 6823, for amendment of the definition of "carload lot"

contained in § 317.1 (b) in Part 317 in the distributors rules but only with respect to tidewater docks in New England.

The Director of the Bituminous Coal Division having instituted a proceeding, upon the petition of New England Coal and Coke Company, to reopen General Docket No. 12, pursuant to the provisions of the Bituminous Coal Act of 1937 and the Order of the Director dated June 19, 1940, in General Docket No. 12 under which order the Director reserved jurisdiction to modify any of the determinations made therein, to receive evidence relating to the reasonableness and necessity of revising that portion of § 317.1 (b) in Part 317, Registration of Distributors; Maximum Discounts; Registration of Farmers' Cooperative Organizations, relating to the definition of "Carload lot" as applied to the sale of coal off the docks located east of Port Chester, N. Y.;

A hearing having been duly held in this proceeding before Charles O. Fowler, a duly designated Examiner of the Division, at Washington, D. C., on August

19 to 22, and 25 to 27, 1941; New England Coal and Coke Company; C. H. Sprague & Son Company; T. A. D. Jones & Company, Inc., American Coal Distributors Association; Bituminous Coal Producers Boards for Districts Nos. 1, 2, and 7, and Bituminous Coal Consumers' Counsel having entered appearances;

The Examiner having made and entered his Report, Proposed Findings of Fact, Proposed Conclusions of Law, and Recommendations, dated January 30, 1942;

The New England Coal and Coke Company, C. H. Sprague & Son Company, and District Boards 1 and 7 having filed exceptions to the Report of the Examiner and supporting briefs;

The undersigned having considered the entire record of this proceeding, and upon the basis thereof, having rendered Findings of Fact, Conclusions of Law and an Opinion, which are filed herewith;

Now, therefore, it is ordered, That the Report, Proposed Findings of Fact, Proposed Conclusions of Law and Recommendations of the Examiner be and are hereby adopted, except as modified by the Findings of Fact, Conclusions of Law and Opinion rendered herewith.

It is further ordered, That effective July 1, 1942, § 317.1 (b) in Part 317, Registration of Distributors; Maximum Discounts; Registration of Farmers' Cooperative Organizations, be and the same hereby is revised and amended to read as follows:

§ 317.1 *Meaning of terms.* * * *

(b) *Carload lot.* "Carload lot" is a quantity of coal equivalent in tonnage to not less than the minimum carload weight specified for the loading of bituminous coal, at carload rates, in the official effective tariffs of rail carriers at the point of origin or at the rail shipping point nearest the mine where the coal is produced, and shipped to a single vendee to one unloading point: *Provided, however,* That on coal reshipped overland from docks, or inland storage yards in King County, State of Washington, coming within the proviso contained in the definition of the term "distributor" in § 317.1 (a) hereof, the minimum weight per carload lot shall not be less than the minimum carload as prescribed in effective tariffs of railroads applicable from such reshipping points: *Provided further,* That when coal is delivered in such lots in vehicles of insufficient capacity to transport an entire carload lot quantity in one transaction, the distributor's vendee must accept delivery of an entire carload lot quantity, as if the delivery were to be made in a single vehicle, but in no event shall delivery be continued over a period longer than is actually necessary to accomplish such delivery in a continuous flow: *Provided, further, however,* That on coal shipped by truck, or in other vehicles other than by railroad cars, from tide-water docks in New England, located east of Port Chester, New York, a carload lot quantity shall be considered to be 30 tons, and where a distributor obtains from his vendee a bona fide written agreement that the entire carload lot quantity will be delivered to a single unloading point, which is sufficient to accept delivery of

and store an entire carload lot quantity, and that said vendee will cause such entire carload lot quantity to be delivered to and unloaded at such single unloading point within a period of two consecutive full business days after the date of the commencement of the delivery, such delivery will be deemed to be a delivery in a continuous flow.

It is further ordered, That the requests for oral argument be and the same hereby are denied.

Dated: June 18, 1942.

[SEAL]

DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-5755; Filed, June 19, 1942;
11:46 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Order No. 42]

WELLSTON CAMP PROJECT

DESIGNATION FOR CONSCIENTIOUS OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Wellston Camp project to be work of national importance, to be known as Civilian Public Service Camp No. 42. Said camp, located at Wellston, Manistee County, Michigan, will be the base of operations for forestry work in the State of Michigan, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV-E, may be assigned to said camp in lieu of their induction for military service.

The work to be undertaken by the men assigned to said Wellston Camp will consist of nursery work, planting and ground preparation for planting, plantation release, blister rust control, road improvement and maintenance, timber stand improvement, and fire control work, and shall be under the technical direction of the Forest Service of the United States Department of Agriculture insofar as concerns the planning and direction of the work program. The camp, insofar as camp management is concerned, will be under the direction of approved representatives of the National Service Board for Religious Objectors. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Director.

JUNE 16, 1942.

[F. R. Doc. 42-5731; Filed, June 18, 1942;
8:21 p. m.]

[No. 88]

NOTICE OF CLASSIFICATION

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of section 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 57, entitled "Notice of Classification," effective immediately upon the filing hereof with the Division of the Federal Register.¹ The supply of the original DSS Form 57 on hand will be used until exhausted.

The foregoing revision shall, effective immediately upon the filing hereof with the Division of the Federal Register, become a part of the Selective Service Regulations.

LEWIS B. HERSHEY,
Director.

APRIL 13, 1942.

[F. R. Doc. 42-5732; Filed, June 18, 1942;
3:21 p. m.]

PART 614—GROUPING AND SERIAL NUMBERING REGISTRATION CARDS

[Amendment No. 62, 2d Ed.]

By authority vested in me as Director of Selective Service under 54 Stat. 885; 50 U.S.C., Sup. 301-318, inclusive; E.O. No. 8545, 5 F.R. 3779, Selective Service Regulations, Second Edition, are hereby amended in the following respects:

1. Amend § 614.5 by designating the present section as paragraph (a) and by adding a new paragraph designated paragraph (b) reading as follows:

§ 614.5 *Registrants residing outside local board area: Disposition of Registration Cards.* * * *

(b) If the place of residence shown on line 2 of any Registration Card (Form 1) is nonexistent or is outside of the continental United States, the Territory of Alaska, the Territory of Hawaii, and Puerto Rico, the local board in whose area the registrant registered shall retain such card and if such card has been or is forwarded to another local board or the State Director of Selective Service, it shall be returned to the local board in whose area the registrant registered.

2. Amend paragraph (b) of § 614.6 to read as follows:

§ 614.6 *Registrants residing within the local board area: Grouping of Registration Cards.* * * *

(b) The local board shall place in Group 1 the Registration Card (Form 1) of each registrant whose date of birth as given on line 5 of such card shows that he is within the age group required to be registered by the first proclamation of the President. Each succeeding proclamation added a new age group. The local board shall place in Group 2 the Registration Card (Form 1) of each registrant

¹ Filed with the original document.

in the new age group added by the second proclamation of the President, shall place in Group 3 the Registration Card (Form 1) of each registrant in the new age group added by the third proclamation of the President, shall place in Group 4 the registration Card (Form 1) of each registrant in the new age group added by the fourth proclamation of the President, and shall place in Group 5 the Registration Card (Form 1) of each registrant in the new age group added by the fifth proclamation of the President. After carefully checking the date of birth of the registrant as set out in answer to question 5 on the face of the Registration Card (Form 1), the local board shall place each card in the group in which it belongs. The following table will assist the local board to determine the group in which each Registration Card (Form 1) should be placed:

TABLE OF AGE GROUPS

Group 1

Registrants born on or after October 17, 1904, and born on or before October 16, 1919.

Group 2

Registrants born on or after October 17, 1919, and born on or before July 1, 1920.

Group 3

Registrants born on or after July 2, 1920, and born on or before December 31, 1921; and registrants born on or after February 17, 1897, and born on or before October 16, 1904.

Group 4

Registrants born on or after April 28, 1877, and born on or before February 16, 1897.

Group 5

Registrants born on or after January 1, 1922, and born on or before June 30, 1924.

These regulations will hereinafter refer to Registration Cards (Form 1) or registrants as being in "Group 1," "Group 2," "Group 3," "Group 4," or "Group 5." Whenever such reference is made, it is intended that the determination of the group in which a particular Registration Card (Form 1) or registrant belongs will be made by using the foregoing table.

3. Amend § 614.21 to read as follows:

§ 614.21 *Chairman to call meeting.* The chairman of the local board shall convene a meeting of his local board on July 20, 1942. At this meeting, the local board shall complete the steps set forth in §§ 614.22 to 614.27, inclusive.

4. Amend the regulations by inserting a new section to be known as § 614.24-2 to read as follows:

§ 614.24-2 *Disposition of Registration Cards in Group 4.* (a) A strip shall be cut from an unused buff-colored Registration Card (Form 1) and pasted across the top of the face of each Registration Card (Form 1) in Group 4.

(b) The Registration Cards (Form 1) in Group 4 shall then be given late-registrant serial numbers in the manner provided in part 616.

5. Amend § 614.25 to read as follows:

§ 614.25 *Serial numbering Registration Cards in Group 5.* (a) The local board shall arrange the Registration

Cards (Form 1) of registrants in Group 5 in a pile according to their respective dates of birth so that the cards of registrants born on January 1, 1922 will be on the top, the cards of registrants born on January 2, 1922 will follow the cards of those born on January 1, 1922, the cards of registrants born on January 3, 1922 will follow the cards of those born on January 2, 1922, and so on to the bottom of the pile where the cards of those born on June 30, 1924 will be located. When the local board has cards for two or more registrants born on the same date, such cards shall be arranged in alphabetical order.

(b) If a Registration Card (Form 1) of a registrant in Group 5 is received from another local board before the commencement of serial numbering of Registration Cards (Form 1) in Group 5 and the other local board has erroneously entered a serial number thereon, such serial number shall be crossed out and the card shall be arranged in the pile of Registration Cards (Form 1) of registrants in Group 5 in the manner provided in paragraph (a) of this section and shall be given a new serial number in the manner provided in paragraph (c) of this section.

(c) The local board shall then place on each Registration Card (Form 1) in Group 5 a serial number. Each serial number in Group 5 shall be preceded by the letter "N." The top card in the pile shall be numbered "N-1," the card next to the top shall be numbered "N-2," and so on until all cards are numbered consecutively. No serial number should be skipped or used more than once. It is of vital importance that great care be used in arranging the cards according to the birth dates of the registrants (and alphabetically as to registrants born on the same date). If any card, not in its proper place, is given an erroneous serial number, such serial number shall be canceled and the card shall be treated as if it were the card of a late registrant and shall be given a serial number in the manner provided in part 616. No card received after the serial numbering is commenced shall be included, but such card shall be treated as the card of a late registrant and shall be serial numbered in the manner provided in Part 616.

6. Amend § 614.26 to read as follows:

§ 614.26 *Preparing lists of registrants in Group 5.* When the serial numbering of Registration Cards (Form 1) in Group 5 has been completed and carefully checked, the local board shall make up at least four copies of List of Registrants (Form 3B) for such group which shall be disposed of in the manner provided in § 615.41. Registrants shall be listed in the order of their serial numbers with the name of the registrant having "N-1" at the top of the list. As each page of the List of Registrants (Form 3B) is completed, a check should be made of the column containing the dates of birth of the registrants to be sure that all registrants listed on the page have received their serial numbers in the proper order. All serial numbers

from "N-1" to the largest "N" serial number used shall be listed. At the time serial numbers are being placed on the List of Registrants (Form 3B), order numbers may also be entered thereon in the manner provided in paragraph (b) of § 615.41.

7. Amend § 614.27 to read as follows:

§ 614.27 *Report of serial numbering.* (a) As soon as possible after completing serial numbering of Registration Cards (Form 1), the local board shall make the following report to the State Director of Selective Service:

Registration Cards (Form 1) for the fifth registration serial numbered. Largest serial number used by Local Board ----- is N----- Largest serial number assigned to registrant born on or after January 1, 1922 and on or before June 30, 1922 is N-----

(b) As soon as possible, the State Director of Selective Service shall advise the Director of Selective Service the total number of registrants in his State who were assigned "N" serial numbers in the fifth registration and the total number of registrants in his State born on or after January 1, 1922 and on or before June 30, 1922 who were assigned "N" serial numbers in the fifth registration.

8. Delete §§ 614.31 and 614.32 in their entirety.

9. Amend § 614.41 to read as follows:

§ 614.41 *Putting serial numbers on Registration Cards.* The serial numbers shall be placed on the Registration Cards (Form 1) in black ink, either in pen and ink or by rubber stamp. Each Registration Card (Form 1) shall have one, and only one, whole serial number, such as "N-267." Each serial number shall be used only once. If either the serial number or the Registration Card (Form 1) bearing the serial number is canceled for any reason, the serial number shall not be used again.

10. Amend § 614.42 to read as follows:

§ 614.42 *Certain cards treated as those of late registrants.* If upon completing the serial numbering of the Registration Cards (Form 1) in any group, it is found that a Registration Card (Form 1) has not been given a serial number, the local board shall treat it as if it were the card of a late registrant and shall assign it a serial number in the manner provided in Part 616.

11. Amend § 614.43 to read as follows:

§ 614.43 *Illegible serial numbers.* If a Registration Card (Form 1) has on it a serial number that cannot be read, the local board shall try to find out what the serial number is by looking for gaps in the serial numbers of clearly numbered cards of the group to which the card belongs. If by this method the local board can tell what the serial number is, it shall print that number clearly. If the local board cannot tell what the serial number is, it shall cancel the illegible serial number by drawing a line through it, shall treat the card as if it were that of a late registrant, and

shall assign it a serial number in the manner provided in Part 616.

12. Amend § 614.44 to read as follows:

§ 614.44 *Registration cards with two serial numbers.* (a) If a Registration Card (Form 1) of a registrant in Group 1, Group 2, Group 3, or Group 4 has been erroneously given two serial numbers and neither of the serial numbers has been placed on another Registration Card (Form 1) of the same group, the local board shall give the card the smaller of the two numbers and shall draw a line through the larger of the two numbers. If either of the two numbers is on another Registration Card (Form 1) of the same group, the number which is not on another card shall be retained, and the number which is on another card shall be crossed out by drawing a line through it. If both of the serial numbers are on other Registration Cards (Form 1) of the same group, the local board shall cancel both numbers by drawing lines through them, shall treat the card as if it were that of a late registrant, and shall assign it a serial number in the manner provided in Part 616.

(b) When a Registration Card (Form 1) of a registrant in Group 5 has been erroneously given two serial numbers and either of the serial numbers is the correct serial number for such registrant, the other serial number shall be canceled by drawing a line through it. If neither of the serial numbers is the correct serial number for such registrant, both serial numbers shall be canceled by drawing lines through them, the card shall then be treated as if it were the card of a late registrant, and a serial number shall be assigned to it in the manner provided in Part 616.

13. Amend § 614.45 to read as follows:

§ 614.45 *Registration Cards of two registrants with same serial number.* (a) If the Registration Cards (Form 1) of two different registrants in Group 1, Group 2, Group 3, or Group 4 have the same serial number, the local board shall pick one of the cards by lot to keep that number. The other card shall be treated as if it were that of a late registrant, and a serial number shall be assigned to it in the manner provided in Part 616.

(b) If the Registration Card (Form 1) of two different registrants in Group 5 have the same serial number, the correct serial number of each registrant shall be ascertained. If either of the cards has the correct serial number, such card shall retain such serial number. The number on the other card shall be canceled and the card treated as if it were that of a late registrant and a serial number assigned to it in the manner provided in Part 616. If neither of the cards has the correct serial number, the numbers on each card shall be canceled and each card shall be treated as if it were that of a late registrant and a serial number assigned to it in the manner provided in Part 616.

14. Amend § 614.46 to read as follows:

§ 614.46 *Serial numbering when local board has two Registration Cards for the same registrant.* * * *

(b) When a local board has two cards in the same group for the same registrant:

(1) If the registrant belongs to Group 4 or Group 5, the local board shall select one card and cancel the other card by marking it "Canceled—Duplicate."

(2) If the registrant belongs to Group 1, Group 2, or Group 3, the local board shall treat the cards just as if they were the cards of two different registrants so far as serial numbering is concerned. The card having the serial number which comes first in the applicable national master list shall be given its proper order number and the other card shall be marked "Canceled—Duplicate."

15. Amend Part 614 by adding a new section designated as § 614.47 to read as follows:

§ 614.47 *Person registered more than once.* If a registrant has registered or hereafter registers more than once and gives different addresses on line 2 of his Registration Card (Form 1), each local board having jurisdiction of the area in which each address is located shall put a serial number and (except in the case of a registrant in Group 4) an order number on the Registration Card (Form 1). Unless the registrant has heretofore selected one of the local boards having jurisdiction of the area in which one of the addresses given on line 2 is located, the registrant shall be subject to the jurisdiction of each local board having a Registration Card (Form 1) of such registrant, and the registrant shall report in response to a call from each of such boards.

16. The foregoing amendments to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JUNE 15, 1942.

[F. R. Doc. 42-5661; Filed, June 16, 1942;
3:58 p. m.]

PART 615—ASSIGNMENT OF ORDER NUMBERS
[Amendment 63, 2d Ed.]

By authority vested in me as Director of Selective Service under 54 Stat. 885; 50 U.S.C., Sup. 301-318, inclusive; E.O. No. 8545, 5 F.R. 3779, Selective Service Regulations, Second Edition, are hereby amended in the following respects:

1. Amend § 615.3 to read as follows:

§ 615.3 *Third national lottery and Third National Master List.* On March 17-18, 1942, the third national lottery was held in Washington, D. C. The list of serial numbers, arranged in the order drawn in the third national lottery, was called the "Third National Master List" and was issued as Form 174. This national master list is hereafter referred to as the "Third National Master List." It will be used exclusively for determining order numbers of registrants whose Registration Cards (Form 1) are in Group 3. Each local board has a copy of the Third National Master List (Form 174).

2. Amend § 615.4 to read as follows:

§ 615.4 *No national lottery for group 4.* A national lottery was not held for registrants in Group 4, and such registrants were not assigned order numbers.

3. Amend Part 615 by adding a new section designated as § 615.5 to read as follows:

§ 615.5 *No national lottery for Group 5.* Registrants in Group 5 will be assigned order numbers in the manner provided in § 615.35; therefore, no national lottery was or will be held for registrants in Group 5.

4. Amend § 615.31 to read as follows:

§ 615.31 *Regulations governing.* The regulations which governed the assignment of order numbers from the Third National Master List (Form 174) to registrants properly registered on green-colored Registration Cards (Form 1), i. e., registrants in Group 3, provided that:

(a) The registrants in Group 3 will receive order numbers following the order numbers assigned to registrants in Group 1 and Group 2. Order numbers assigned to registrants in Group 1 and Group 2 will be less than order number 10,000 in every case. Therefore, the order numbers for registrants in Group 3 will start with 10,001. This will, in most cases, leave a gap in order numbers between the highest order number given to a registrant in Group 1 and Group 2 and the lowest order number given to a registrant in Group 3 and will serve to keep order numbers assigned to Group 1 and Group 2 separated from order numbers assigned to Group 3.

(b) The registrant in Group 3 whose "T" serial number appears at the top, or nearest the top, of the Third National Master List (Form 174) will be given Order Number 10,001. The registrant in Group 3 whose "T" serial number is next nearest the top of the Third National Master List will be given Order Number 10,002. The registrant in Group 3 whose "T" serial number is third nearest the top of the Third National Master List will be given Order Number 10,003, and so on until each registrant in Group 3 has an order number.

(c) Example: Suppose the Third National Master List begins:

T-258
T-7
T-3225
T-119
T-634

and that a certain local board's largest "T" serial number is T-2,104 and that for some reason it has no card serial numbered T-119. Then:

Serial Number T-258 is assigned Order Number 10,001.

Serial Number T-7 is assigned Order Number 10,002.

Serial Number T-3225.

Serial Number T-119.

Serial Number T-634 is assigned Order Number 10,003.

(d) Before the order numbers are placed on the Registration Cards (Form 1), the local board must be sure that its assignment of order numbers, without

exception, agrees with the order in which the "T" serial numbers on its cards appear on the Third National Master List (Form 174). The oversight of one "T" serial number will upset every order number below it, and if the order numbers have been placed on the cards before the mistake is found, blotched cards will be the result.

(e) Order Numbers must be assigned in sequence. No order number shall be skipped. Serial numbers on the Third National Master List (Form 174) which are not held by any registrant are simply crossed off and ignored. It is suggested that in assigning order numbers, the local board enter the order numbers opposite the applicable serial numbers on the applicable national master list.

(f) When the local board is sure that its assignment of order numbers is correct, it shall enter such order numbers in red ink in the place designated on the Registration Card (Form 1) of registrants in Group 3.

5. Amend Part 615 by adding a new section designated as § 615.35 to read as follows:

§ 615.35 *Procedure*. When the assignment of serial numbers has been completed and carefully checked, registrants in Group 5 shall be assigned order numbers in the following manner:

The registrant in Group 5 having the Registration Card (Form 1) bearing serial number "N-1" shall be given the order number immediately following the highest order number assigned by the local board to a registrant in Group 3. Consecutive order numbers shall then be assigned to the remaining registrants in Group 5. Example: Assume that in a local board the highest order number which has been assigned to a registrant in Group 3 is 11,123, then the registrant with serial number "N-1" in Group 5 shall receive Order Number 11,124, the registrant in Group 5 with serial number "N-2" shall receive Order Number 11,125, the registrant in Group 5 with serial number "N-3" shall receive Order Number 11,126, and so on until all of the registrants in Group 5 have received an order number.

6. Amend § 615.41 to read as follows:

§ 615.41 *Preparation, posting, and distribution of List of Registrants*. (a) When order numbers were assigned to Registration Cards (Form 1) of registrants in Group 1, Group 2 and Group 3 and when serial numbers were assigned to Registration Cards (Form 1) of registrants in Group 4, the local board prepared a separate List of Registrants (Form 3) using Form 3A as the first copy in the case of registrants in Group 4. The local boards will continue to maintain these lists of registrants and add thereto all late registrants in the manner provided in § 616.41.

(b) During or immediately after completing the order numbering of Registration Cards (Form 1) in Group 5, the order numbers shall be entered upon the List of Registrants (Form 3B) (see § 614.26).

(c) As soon as all registrants in Group 5 have been placed upon the List of Registrants (Form 3B) and their serial and order numbers have been entered in the proper columns, one copy shall be posted in a public place in the office of the local board; one copy shall be maintained at all times in the files of the local board; and two copies shall be forwarded to the State Director of Selective Service, one to be filed in his records and one to be forwarded to the Director of Selective Service, at the Gimbel Building, Philadelphia, Pennsylvania. The local board should also furnish as many copies as possible of the List of Registrants (Form 3B) to the press, radio, and other mediums of publication.

(d) The List of Registrants (Form 3 or Form 3B) must be accurate and complete at all times. This is particularly important in the case of the List of Registrants (Form 3B) of registrants in Group 5 as it will be the only record available in the local board's office from which to determine the serial and order number to be assigned to a late registrant in Group 5.

7. Amend § 615.42 to read as follows:

§ 615.42 *Placing registrants' names and order numbers in Classification Record*. (a) The Classification Record (Form 100) was started at the time order numbers were assigned to registrants in Group 1 following the first national lottery. The names and order numbers of registrants in Group 1 commenced on page 1 of the Classification Record (Form 100). When order numbers were assigned to registrants in Group 2 immediately following the second national lottery, the names and order numbers of such registrants were placed in the Classification Record (Form 100) commencing on a new page numbered 2,001. This was done in order to keep the list of registrants in Group 2 separated from the list of registrants in Group 1 in the Classification Record (Form 100).

In a similar manner, when the registrants in Group 3 were listed in the Classification Record (Form 100) numerically, according to their order numbers, with Order Number 10,001 at the top, such list was commenced upon a new page numbered 3,001. Registrants in Group 4 were not listed in the Classification Record (Form 100).

(b) The names and order numbers of registrants in Group 5 shall be listed in the Classification Record (Form 100) numerically, according to their order numbers, immediately following the name and order number of the registrant in Group 3 to whom the local board has assigned the highest order number in Group 3. In the example given in § 615.35, the registrant in Group 3 to whom the local board assigned the highest order number in Group 3 was 11,123 and the name and order number would appear in the Classification Record (Form 100) as the last registrant of Group 3. The registrant in Group 5 who had serial number "N-1" would be

given Order Number 11,124, and his name and order number would be entered in the Classification Record (Form 100) on the line immediately following the name of the registrant in Group 3 having Order Number 11,123. While all registrants in Group 5 are to be listed in the Classification Record (Form 100), a Selective Service Questionnaire (Form 40) shall not be sent to any such registrant until he becomes liable for training and service under the Selective Training and Service Act of 1940, as now or hereafter amended.

8. Amend § 615.43 to read as follows:

§ 615.43 *Preparation of cover sheets and filing folders*. (a) After each registrant in Group 1, Group 2, Group 3, or Group 5 is listed in the Classification Record (Form 100), the local board shall open an individual file for him by preparing a Cover Sheet (Form 53). These Cover Sheets (Form 53) shall be maintained in a file in the local board. Every paper pertaining to the registrant except his Registration Card (Form 1) shall be filed in his Cover Sheet (Form 53).

(b) The local board shall also open an individual file for each registrant in Group 4 by preparing a Filing Folder (Form 54). No Cover Sheet (Form 53) shall be made for registrants in Group 4. Filing Folders (Form 54) for registrants in Group 4 shall be maintained in a file separate and apart from the file of Cover Sheets (Form 53) of the registrants in Group 1, Group 2, Group 3, and Group 5. Every paper pertaining to the registrant in Group 4 except his Registration Card (Form 1) shall be filed in his Filing Folder (Form 54).

9. Amend § 615.44 to read as follows:

§ 615.44 *Registration Cards to be filed alphabetically*. (a) After entering the names and order number of a registrant in Group 1, Group 2, Group 3, or Group 5 in the Classification Record (Form 100), the local board shall file his Registration Card (Form 1) in an alphabetical file of Registration Cards (Form 1) of such registrants.

(b) The local board shall file the Registration Card (Form 1) of each registrant in Group 4 in an alphabetical file of Registration Cards (Form 1) of such registrants which shall be maintained separate and distinct from the alphabetical file of Registration Cards (Form 1) for registrants in Group 1, Group 2, Group 3, and Group 5.

10. The foregoing amendments to the Selective Service Regulation shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JUNE 15, 1942.

[F. R. Doc. 42-5662; Filed, June 16, 1942; 3:58 p. m.]

PART 616—LATE REGISTRATION

[Amendment 64, 2d Ed.]

By authority vested in me as Director of Selective Service under 54 Stat. 885;

50 U.S.C., Sup. 301-318, inclusive; E.O. No. 8545, 5 F.R. 3779, Selective Service Regulations, Second Edition, are hereby amended in the following respects:

1. Amend § 616.5 to read as follows:

§ 616.5 *Registration of late registrants in Group 4.* Any person in the age group required to be registered for the first time on April 27, 1942, the day fixed by the President for the fourth registration (registrants in Group 4), who has not heretofore registered or who, by reason of a change of status, is hereafter required to be registered, may present himself for and submit to registration before any local board. Each such person shall be registered on a buff-colored Registration Card (Form 1) and shall be issued a Registration Certificate (Form 2).

2. Amend Part 616 by adding a new section to be designated as § 616.6 to read as follows:

§ 616.6 *Registration of late registrants in Group 5.* Any person in the age group required to be registered for the first time on June 30, 1942, the day fixed by the President for the fifth registration (registrants in Group 5), who has not heretofore registered or who, by reason of a change of status, is hereafter required to be registered, may present himself for and submit to registration before any local board. Each such person shall be registered on a gray-colored Registration Card (Form 1) and shall be issued a Registration Certificate (Form 2).

3. Amend § 616.21 to read as follows:

§ 616.21 *Checking place of residence of late registrant.* When a person is registered by a member or a clerical assistant of a local board under the provisions of this part, the clerk of the local board shall carefully check the place of residence of such registrant as indicated on line 2 of his Registration Card (Form 1).

4. Amend § 616.22 by designating the present section as paragraph (a) and by adding a new paragraph designated paragraph (b) reading as follows:

§ 616.22 *Disposition of Registration Card of late registrant.* * * *

(b) If the place of residence shown on line 2 of any Registration Card (Form 1) is nonexistent or is outside of the continental United States, the Territory of Alaska, the Territory of Hawaii, and Puerto Rico, the local board in whose area the registrant registered shall retain such card and if such card has been or is forwarded to another local board or the State Director of Selective Service, it shall be returned to the local board in whose area the registrant registered.

5. Amend § 616.23 to read as follows:

§ 616.23 *Serial numbering—Late registrants in Group 1, 2, 3, or 4.* When the local board is satisfied that it has jurisdiction over a late registrant in Group 1, Group 2, Group 3, or Group 4, it shall place the smallest unassigned serial number in the group to which such late registrant belongs on his Registration Card (Form 1).

6. Amend § 616.24 to read as follows:

§ 616.24 *Serial numbering; Late registrants in Group 5.* When the local board is satisfied that it has jurisdiction over a late registrant in Group 5, a serial number shall be placed on his Registration Card (Form 1) in the following manner: The local board shall determine the serial number which would have been placed upon his Registration Card (Form 1) had it been received by the local board prior to the commencement of serial numbering of Registration Cards (Form 1) of registrants in Group 5. This shall be done by referring to the date of birth on his Registration Card (Form 1) and to the List of Registrants (Form 3B) for registrants in Group 5, ascertaining therefrom the place his card would have been located had his card been received by the local board before it started to assign serial numbers to registrants in Group 5. The local board shall then place on his Registration Card (Form 1) the serial number preceding the one which he would have had and shall add a letter after such number. For example: If he would have received "N-117" as his serial number had his card been received by the local board before the commencement of serial numbering of Registration Cards (Form 1) of registrants in Group 5, he will be given serial number "N-116A."

7. Amend § 616.31 to read as follows:

§ 616.31 *Assigning order numbers to Group 1 registrants whose Registration Cards are received late.* When a late Registration Card (Form 1) in Group 1 has been given a serial number under the provisions of this part, the local board shall find from the First National Master List what the registrant's order number would have been if his card had been received prior to the commencement of the first national lottery. The local board shall then assign such registrant the order number which precedes the order number which would have been assigned to such registrant had his card been received prior to the commencement of the first national lottery and shall add a letter to it. For example: If his order number would have been 84 had his card been received prior to the commencement of the first national lottery, the local board will assign him Order Number 83A.

8. Amend § 616.32 to read as follows:

§ 616.32 *Assigning order numbers to Group 2 registrants whose Registration Cards are received late.* When a late Registration Card (Form 1) in Group 2 has been given a serial number under the provisions of this part, the local board shall find from the Second National Master List what the registrant's sequence number would have been if his card had been received before midnight, July 8, 1941. The local board shall then assign to such registrant the sequence number which would have been assigned to him had his card been received prior to midnight, July 8, 1941, and shall assign to him the order number immediately preceding the order number assigned to the registrant having the same sequence

number and shall add a letter to it. For example: If the registrant having the same sequence number receives Order Number S-123, the local board will assign him Order Number S-122A, if the preceding order number is 122.

9. Amend § 616.33 to read as follows:

§ 616.33 *Assigning order numbers to Group 3 registrants whose Registration Cards are received late.* When a late Registration Card (Form 1) in Group 3 has been given a serial number under the provisions of this part, the local board shall find from the Third National Master List what the registrant's order number would have been if his card had been received before the commencement of the third national lottery. The local board shall then assign such registrant the order number which precedes the order number which would have been assigned to such registrant had his card been received prior to the commencement of the third national lottery and shall add a letter to it. For example: If his order number would have been 11,271, the local board will give him 11,270A.

10. Amend Part 616 by adding a new section designated as § 616.35 to read as follows:

§ 616.35 *Assigning order numbers to Group 5 registrants whose Registration Cards are received late.* When a late Registration Card (Form 1) in Group 5 has been given a serial number under the provisions of this part, the local board shall refer to the List of Registrants (Form 3B) for registrants in Group 5 to determine the order number the registrant would have been given had his Registration Card (Form 1) been received by the local board prior to the time it commenced to serial number Registration Cards (Form 1) of registrants in Group 5 and shall assign to the registrant the order number preceding the one he would have been assigned with a letter added to it. For example: If the registrant would have received "N-117" as his serial number had his card been received before the commencement of serial numbering of Registration Cards (Form 1) of registrants in Group 5, he would, under the provisions of § 616.24, be given serial number "N-116A." Therefore, if the registrant with serial number "N-117" (the serial number which the late registrant would have been given had his card been received on time) was given order number "14,254," the late registrant would be given order number "14,253A."

11. Amend § 616.41 to read as follows:

§ 616.41 *Entries on and disposition of List of Registrants.* (a) When the Registration Card (Form 1) of a registrant is received late, the local board shall add the name, serial number, and (except in the case of a registrant in Group 4) the order number of such registrant to the office file copy and the publicly posted copy of the List of Registrants (Form 3 or Form 3B) for the age group to which such registrant belongs.

(b) Each time the name of a registrant is added to the office file copy and the publicly posted copy of the List of Registrants (Form 3 or Form 3B), the same

information shall be placed upon two copies of a List of Registrants (Form 3B), both of which shall be forwarded to the State Director of Selective Service. The State Director of Selective Service shall file one such List of Registrants (Form 3B) and shall forward to the Director of Selective Service, Gimbel Building, Philadelphia, Pennsylvania, the other copy of such List of Registrants (Form 3B).

12. Amend § 616.42 to read as follows:

§ 616.42 *Entries in Classification Record.* The local board shall enter the name, serial number, and order number of each registrant in Group 1, Group 2, Group 3, or Group 5 whose Registration Card (Form 1) is received late in the Classification Record (Form 100) following the names, serial numbers, and order numbers of the registrants in the age group to which such registrant belongs. To make certain that the case of such registrant is handled in its proper turn, the local board shall insert an "R," followed by the page on which his name appears in the Classification Record (Form 100), in the column of order numbers in the Classification Record (Form 100) at the place where the order number of such registrant would have appeared in the Classification Record (Form 100) had his Registration Card (Form 1) been received on time. For example: If the registrant is in Group 1, his order number is 83A, and his name appears on page 30 of the Classification Record (Form 100), print "R page 30" between Order Numbers 83 and 84.

13. Amend § 616.43 to read as follows:

§ 616.43 *Preparation of Cover Sheets and Filing Folders.* For each registrant in Group 1, Group 2, Group 3, or Group 5 whose Registration Card (Form 1) is received late, the local board shall prepare a Cover Sheet (Form 53) and place it in the appropriate file. For each registrant in Group 4 whose Registration Card (Form 1) is received late, the local board shall prepare a Filing Folder (Form 54) and place it in the appropriate file.

14. Amend § 616.45 to read as follows:

§ 616.45 *When Selective Service Questionnaire is mailed immediately.* If Selective Service Questionnaires (Form 40) have been mailed to registrants in Group 1, Group 2, Group 3, or Group 5 who have larger order numbers than the registrant whose Registration Card (Form 1) is received late, the local board shall immediately mail to the registrant whose Registration Card (Form 1) is received late his Selective Service Questionnaire (Form 40).

15. The foregoing amendments to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JUNE 15, 1942.

[F. R. Doc. 42-5663; Filed, June 16, 1942;
3:58 p. m.]

Chapter IX—War Production Board

Subchapter B—Division of Industry Operations

PART 927—NICKEL

[Supplementary Order M-6-c as Amended
June 19, 1942]

NICKEL SCRAP AND SECONDARY NICKEL

Section 927.4 *Supplementary Order*
No. M-6-c¹ is hereby amended to read as follows:

§ 927.4 *Supplementary Order M-6-c—*
(a) *Definitions.* For the purposes of this supplementary order:

(1) "Nickel scrap" means all materials, ferrous and non-ferrous, containing 1% or more of nickel by weight, which are the by-product or waste of industrial operations, or which have been discarded on account of obsolescence, failure or other reason. It does not include scrap consisting of any alloy the principal ingredient of which by either weight or volume is metallic aluminum or consisting of any alloy in the composition of which the percentage of copper metal by weight equals or exceeds 40% of all the metal, such scraps being controlled, respectively, by Supplementary Orders M-1-d² and M-9-b.³

(2) "Nickel" means any metallic nickel, alloyed or unalloyed.

(3) "Secondary nickel" means any nickel or alloy containing nickel prepared as a raw material by any process of melting or otherwise treating nickel scrap.

(4) "Scrap dealer" means any person regularly engaged in buying and selling nickel scrap.

(5) "Melter of nickel" means any person (other than a scrap dealer) who is regularly engaged in melting nickel, secondary nickel, or nickel scrap for consumption in his production operations.

(b) *Deliveries of nickel scrap and secondary nickel—*(1) *Prohibitions on deliveries.* No person shall hereafter deliver any nickel scrap or secondary nickel except:

(i) As permitted under the provisions of paragraph (b) (2) of this order; or

(ii) Pursuant to specific written authorization by the Director of Industry Operations.

(2) *Permissible deliveries.* Until further order and in the absence of a contrary direction by the Director of Industry Operations, the following transactions are permitted, and shall require no specific authorization;

(i) Deliveries of nickel scrap may be made to any scrap dealer;

(ii) Deliveries of nickel scrap and secondary nickel may be made to any melter of nickel to be used by him in the fulfillment of purchase orders for his products to which a preference rating better than A-2 shall have been assigned.

(3) *Certification required of melters.* No melter of nickel shall accept delivery

of nickel scrap or secondary nickel pursuant to the provisions of paragraph (b) (2) (ii) unless and until he shall have filed with his supplier at the time of placing a purchase order for nickel scrap or secondary nickel, a written statement, signed by a duly authorized official, substantially in the following form:

The undersigned hereby certifies:

(a) That the undersigned is a melter of nickel within the definition contained in Supplementary Order M-6-c.

(b) That the material to be delivered pursuant to the accompanying contract or purchase order will be used by the undersigned only in the production of those products for which he has purchase orders carrying preference ratings better than A-2, or in accordance with the specific authorization of the Director of Industry Operations.

Name of Company

By Authorized Official

(c) *Melting nickel scrap and secondary nickel—*(1) *Prohibitions on melting.* No person shall hereafter melt any nickel scrap or secondary nickel except:

(i) As permitted under the provisions of paragraph (c) (2) of this order; or

(ii) Pursuant to the specific written authorization of the Director of Industry Operations.

(2) *Permissible melting.* Until further order and in the absence of a contrary direction by the Director of Industry Operations nickel scrap and secondary nickel may be melted without specific authorization by any melter of nickel for products to be delivered by him in the fulfillment of purchase orders to which a preference rating better than A-2 shall have been assigned.

(d) *Special restrictions on dealers.*

(1) No scrap dealer shall hereafter accept delivery of any nickel scrap unless at the time of the acceptance of such delivery he shall have filed all reports which he is required to file by the War Production Board.

(2) Hereafter, no scrap dealer shall melt any nickel scrap, without the specific authorization of the Director of Industry Operations.

(e) *Restrictions on accumulation of nickel scrap and secondary nickel.* No person, other than a scrap dealer or a melter of nickel (as defined in this order) shall keep on hand more than 30 days' accumulation of nickel scrap generated in the course of his own operations, unless such an accumulation aggregates less than 100 pounds in nickel content.

(f) *Use of material.* Any person who obtains delivery of nickel scrap or secondary nickel under the authority of this order, or by any specific direction of the Director of Industry Operations, shall use such material only for the purposes for which acceptance of the delivery thereof was authorized.

(g) *Restrictions on secondary nickel.* No person shall hereafter knowingly accept delivery of secondary nickel, ingots, pigs or other forms of secondary metal which have been obtained by melting and processing nickel scrap delivered to the

¹ 7 F.R. 2993.

² 7 F.R. 180, 3324.

³ 7 F.R. 3472.

melter or processor, or which have been melted or processed by him, contrary to the provisions of this order.

(h) *Toll agreements.* No person shall hereafter deliver nickel scrap and no person shall accept same for converting, remelting or other processing under any existing or future toll agreement, conversion agreement or other form of agreement which is contingent upon repurchase or redelivery of processed material in any quantities equivalent or otherwise, by the person causing the nickel scrap to be delivered, unless and until such an agreement shall have been approved by the Director of Industry Operations. Any person desiring to have such an agreement approved, must file with the War Production Board a statement setting forth the names of the parties to such agreement, the material involved as to kind and grade, the form of the same, the estimated poundage involved, the estimated rate of delivery, the length of time such agreement or other similar agreement has been in force, the duration of the agreement, the purpose for which the processed material is to be used and any other pertinent data that would justify such approval.

(i) *Specific directions.* The Director of Industry Operations may from time to time issue specific directions to any person as to the source, destination, and amount of nickel scrap or secondary nickel to be delivered or acquired by him, and also as to the manner and quantities in which such material may be melted, treated, or otherwise processed for particular uses. In any case where such a specific direction is inconsistent with the authority given to any person to deliver, acquire, or melt nickel scrap or secondary nickel under the terms of this order, such specific directions shall be observed.

(j) *Application for specific authorization.* Any person desiring to obtain specific authorization with respect to the delivery, acquisition or melting of nickel scrap or secondary nickel shall make application to the Director of Industry Operations on such form as may be from time to time prescribed by the War Production Board, or by letter addressed to the Nickel Branch, War Production Board, Reference: M-6-c, setting forth the quantities of nickel scrap and secondary nickel desired, the required delivery dates, the source of applicant's supply, and any other pertinent information. Wherever by the terms of this order specific authorization by the Director of Industry Operations is required, preference rating orders or certificates shall not be construed as constituting such specific authorization.

(k) *Reports.* On or before May 15, 1942, and on or before the 15th day of each succeeding month, the following persons shall report to the War Production Board their inventories of and transactions in nickel scrap and secondary nickel in such form and detail as the War Production Board may from time to time require:

(1) Any person who generates in his own operations nickel scrap during any

calendar month in excess of 500 pounds of nickel content.

(2) Any person (whether or not he generated scrap in his own operations) who has on hand at the end of the preceding calendar month an accumulation of nickel scrap and secondary nickel in excess of 500 pounds in nickel content.

(3) Any person who has on hand at the end of the preceding calendar month more than 30 days' accumulation of nickel scrap generated in his own operations, if such accumulation exceeds 100 pounds in nickel content.

Until further order of the Director of Industry Operations, all persons required to report by the provisions of this paragraph (k) shall report nickel-bearing iron and steel scrap on Forms PD-149, PD-150, and PD-151, prescribed pursuant to General Preference Order M-24,⁴ in the manner indicated on such forms, and shall report all other nickel scrap, as herein defined, and all secondary nickel on Form PD-394.

(l) *Segregation of nickel scrap—(1) Ferrous nickel scrap.* Any person who generates or otherwise acquires ferrous nickel scrap shall segregate or keep segregated the same in accordance with the provisions of Supplementary Order M-24-c.⁵

(2) *Non-ferrous nickel scrap.* Any person who generates or otherwise acquires non-ferrous nickel scrap shall keep such scrap free from any mechanical contamination by metal, dirt or any other foreign element which would prevent its being remelted into its original alloy. All such scrap shall be kept separated as to mechanical form, proportion of nickel content, and proportion of content of other alloying elements, in such manner that the nickel content can be at all times readily determined and directed into channels of essential production by the Director of Industry Operations.

(m) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(n) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(o) *Communications to War Production Board.* All reports required to be filed hereunder and all communications

concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Nickel Branch, Washington, D. C., Reference: M-6-c. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of June 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 41-5742; Filed, June 19, 1942;
11:20 a. m.]

PART 940—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Amendment 10 to Supplementary Order
M-15-b]

RUBBER AND RUBBER PRODUCTS

Section 940.3 *Supplementary Order M-15-b*¹ is hereby amended by inserting at the end thereof the following new paragraph designated paragraph (o):

(o) *Restrictions on the importation of rubber, latex, reclaimed and scrap rubber and balata and products thereof.* No person, other than Metals Reserve Company, Defense Supplies Corporation, Rubber Reserve Company or any other subsidiary of Reconstruction Finance Corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act, as amended, or any agent acting for one of them, shall, without the written authorization of the Director of Industry Operations, import, purchase for importation, or make any contract or other arrangement for the importing of, any rubber, latex, reclaimed and scrap rubber or balata, whether in crude, partly processed or processed form, or any finished or partly finished product or material made in whole or in part from any of the foregoing. For the purpose hereof "import" means to transport into the continental United States from any foreign country or from any territory or possession of the United States, and shall include a release from the bonded custody of the United States Bureau of Customs. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

This Order shall take effect as of the date of its issuance.

Issued this 19th day of June 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-5748; Filed, June 19, 1942;
11:21 a. m.]

⁴ 6 F.R. 5217, 7 F.R. 3878.

⁵ 7 F.R. 4534.

¹ 6 F.R. 6406, 6644, 6792; 7 F.R. 511, 1106, 1634, 2229, 2459, 2782, 3030.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Amendment 1 to Priorities Regulation 11]

PRODUCTION REQUIREMENTS PLAN

Section 944.32 *Priorities Regulation No. 11*¹ is amended as follows:

1. Paragraph (d) (1) (iii) is amended to read as follows:

(iii) No PRP Unit shall duplicate, in whole or in part, purchase orders which it has placed with one or more suppliers for delivery of any material (whether rated, unrated or allocated) in such manner that the amount of such material ordered exceeds the amount actually required for delivery, even though the PRP Unit intends to cancel or reduce its purchase orders, prior to completion of delivery, to the amount of actual requirements as rated or otherwise authorized on its PRP Certificate. Each PRP Unit, immediately upon receipt of its PRP Certificate, shall cancel or reduce its outstanding purchase orders calling for delivery within the quarter covered by such certificate to the amount of its actual requirements as rated or otherwise authorized on such certificate: *Provided, however*, That no person shall be required to cancel any order calling for delivery in the third quarter of 1942 of any metal in any form included on the attached Metals List, if the producer thereof certifies in writing to such person that substitution of other orders is impossible and that cancellation would disrupt the producer's production schedules and result in diminished production; in such case delivery may be accepted under such order without regard to the restrictions of paragraph (d) (1) (ii).

2. A new paragraph (h) is added to follow paragraph (g), reading as follows:

(h) *Special provisions with respect to metal mills.* Notwithstanding the foregoing provisions of this regulation, the following provisions shall govern with respect to any person (hereinafter in this paragraph (h) referred to as a "metal mill") to the extent that he is engaged in producing metals in any of the forms included on the attached Metals List:

(1) A metal mill, in determining whether it is a Class I Producer within the meaning of paragraph (b) (6) of this regulation, may exclude all receipts or withdrawals from inventory of metals which will be processed by the metal mill to produce any of the forms listed on the attached Metals List. However, there must be included any metals in the forms listed, which will be used by it for maintenance, repair or operating supplies, or will be fabricated by it beyond the forms listed.

(2) A metal mill need not include in its PRP Application materials which will be processed by it to produce metals in any of the forms listed on the attached Metals List, but it must include any material, including metals in the forms listed, which will be used by it for maintenance, repair or operating supplies, or

will be fabricated by it beyond the forms listed, and for which it requires priority assistance.

(3) A metal mill may extend and apply preference ratings assigned by a preference rating order or certificate, in the manner heretofore permitted, for delivery to it of material which has been excluded from its PRP Application pursuant to the provisions of subparagraph (2) of this paragraph (h), and may accept delivery of such material.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of June 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-5749; Filed, June 19, 1942; 11:22 a. m.]

PART 997—PRODUCTION AND DELIVERY OF MACHINE TOOLS

[Interpretation 2 of General Preference Order E-1-b]

DELIVERIES TO SERVICE PURCHASERS

The following official interpretation is hereby issued by the Director of Industry Operations, with respect to § 997.2, *General Preference Order E-1-b*:¹

AA ratings should not be sought for the purpose of expediting deliveries of machine tools to service purchasers. General Preference Order E-1-b provides that deliveries to service purchasers, who are on the Numerical Master Preference List, Revision No. 3, shall be preferred to and shall take precedence over deliveries to service purchasers who are not on the list, irrespective of the preference ratings of the purchasers who are not on the list. It also provides that as between deliveries which have conflicting delivery dates to be made to two or more service purchasers both on the list, deliveries shall be made according to their respective urgency standings specified on such list, whether the preference ratings of such service purchasers are the same or are different. The highest urgency standing is No. 1.

Accordingly, the issuance of a AA rating to a service purchaser whose name does not appear on the list merely places him ahead of other service purchasers who likewise are not on the list; but he remains subordinate to all service purchasers who have urgency standings, irrespective of the preference ratings of the latter. The issuance of a AA rating to a service purchaser whose name appears on the list has no effect whatever. Deliveries to him are still determined solely by his urgency standing.

Where it is desired to accelerate the delivery date of a tool to a service purchaser, a specific order can be obtained from the Director of Industry Operations diverting a tool from another service purchaser for this purpose.

¹ 7 F.R. 3231, 3660.

AA ratings may continue to be issued in appropriate cases for the purpose of expediting deliveries of machine tools to foreign and other purchasers, to whom urgency standings have not been assigned.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of June 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-5746; Filed, June 19, 1942; 11:21 a. m.]

PART 997—PRODUCTION AND DELIVERY OF MACHINE TOOLS

[General Preference Order E-1-c]

ASSIGNING HIGHER PREFERENCE RATINGS TO CANADIAN PURCHASERS OF MACHINE TOOLS

§ 997.3 *General Preference Order E-1-c.* (a) All preference ratings assigned by any Preference Rating Certificate PD-1, PD-1A, PD-2, PD-3, PD-3A, PD-4, or PD-5 heretofore issued, covering machine tools as defined in § 997.2, *General Preference Order E-1-b*¹, to be purchased by Canadians who belong to the "other purchasers" class, as defined in said order, are hereby raised to A-1-a.

(b) (1) The amendment of the ratings set forth in paragraph (a) hereof shall take effect immediately, without any further action by any United States Government official.

(2) All persons to whom the preference rating certificates set forth in paragraph (a) hereof have been issued, and all producers of machine tools to whom such preference rating certificates have been delivered, or who have received purchase orders for machine tools endorsed pursuant to such preference rating certificates, are hereby authorized to make a notation upon any such preference rating certificate in their possession, or on any purchase order or contract which has been endorsed pursuant thereto, changing the preference rating originally set forth therein, to A-1-a, and stating "Changed by E-1-c," followed by the name or initials of the person making the notation.

(3) In the event that a preference rating certificate or purchase order or contract does not clearly show that the person to whom the rating was assigned constitutes a Canadian member of the "other purchasers" class, as defined in § 997.2 *General Preference Order E-1-b*, the person making the notation specified in paragraph (b) (2) hereof must ascertain from the person furnishing such preference rating certificate, purchase order or contract to him, before he makes the notation, the facts showing that the preference rating has been amended by this order. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O.

¹ 7 F.R. 3231, 3660, and supra.

¹ 7 F.R. 4423.

9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of June 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-5747; Filed, June 19, 1942;
11:21 a. m.]

PART 1072—SOLE LEATHER

[Amendment 1 to General Preference Order M-80 as amended to May 22, 1942]

Section 1072.1 (*General Preference Order M-80*)¹ is hereby amended in the following respects:

1. The following provision is added to paragraph (b):

(10) "Retail dealer of finders' whole stock and/or cut stock" means any person whose principal business consists of selling finders' whole stock and/or cut stock and other findings to cobblers repairing shoes for the general public.

2. Paragraph (c) is amended to read as follows:

Restrictions on sale and cutting of whole stock. (1) All persons having whole stock from which cut outer or cut inner soles or finders' cut stock of military weight and quality can be obtained shall reserve such whole stock for direct sale to the Government or for delivery to sole cutters as defined or shall cut such whole stock in accordance with paragraph (c) (2) hereof: *Provided, however,* That this restriction shall not apply to any stock in the possession of a retail dealer of finders' whole stock and/or cut stock on May 22, 1942.

(2) No person (except any one whose business consists of repairing shoes for the general public) having any whole stock, from which cut inner or cut outer soles or finders' cut stock of military weight and quality can be obtained, shall hereafter cut any of the said whole stock except in such a manner as will produce all the cut inner or cut outer soles or finders' cut stock of military weight and quality obtainable therefrom in accordance with paragraph (d) hereof.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of June 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-5745; Filed, June 19, 1942;
11:20 a. m.]

¹ 7 F.R. 1977, 2626, 3077, 3851.

PART 1184—QUININE AND OTHER DRUGS EXTRACTED FROM CINCHONA BARK¹

[Amendment 1 to Conservation Order M-131, as amended April 30, 1942]

QUININE, TOTAQUINE, AND CINCHONA BARK

§ 1184.1 *Conservation Order M-131*,² as amended April 30, 1942, is hereby amended by deleting therefrom subparagraph (1) of paragraph (c) and renumbering subparagraphs (2), (3) and (4) of paragraph (c) as (1), (2) and (3), respectively.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of June 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-5744; Filed, June 19, 1942;
11:20 a. m.]

PART 1184—QUININE AND OTHER DRUGS EXTRACTED FROM CINCHONA BARK

[Conservation Order No. M-131-a]

CINCHONINE, CINCHONIDINE AND QUINIDINE

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of cinchonine, cinchonidine and quinidine for the war effort, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the war effort.

§ 1184.2 *Conservation Order M-131-a*—(a) *Definitions.* For the purposes of this order:

(1) "Cinchonine" means cinchonine alkaloid, obtained by extraction from Cinchona Bark, and its salts and derivatives.

(2) "Cinchonidine" means cinchonidine alkaloid, obtained by extraction from Cinchona Bark, and its salts and derivatives.

(3) "Quinidine" means quinidine alkaloid, obtained by extraction from Cinchona Bark, and its salts and derivatives.

(4) "Cinchona Bark" means the bark obtained from Cinchona Succirubra P. et K.; C. Calisaya W.; C. Ledgeriana M. et T., also known as Calisaya, Peruvian or Jesuit's Bark, and from their hybrids.

(5) "Anti-malarial agent" means any product or material which, according to modern medical opinion, is recognized as a specific for the prevention, alleviation or cure of malarial infections.

(b) *Restrictions on the purchase, sale and use of cinchonine, cinchonidine and*

¹ Formerly Part 1184—Quinine, Totaquine, and Cinchona Bark.

² 7 F.R. 2627, 3269.

quinidine. (1) No person shall sell, transfer or deliver, or purchase or accept any transfer or delivery of, or process or combine with other materials (i) any cinchonine or cinchonidine, except for use as an anti-malarial agent; (ii) any quinidine, except for use:

- (a) As an anti-malarial agent, or
- (b) In the treatment of cardiac disorders.

(2) Except in the case of a sale, transfer or delivery to an ultimate consumer, no person shall sell, transfer or deliver any cinchonine, cinchonidine or quinidine, or product containing any of these materials, except upon receipt of a certificate manually signed by the person purchasing or accepting transfer or delivery, or a duly authorized official, in substantially the following form, and specifying on the reverse side the quantity involved in the transaction:

(In the case of cinchonine or cinchonidine)

The undersigned hereby certifies that the Cinchonine or Cinchonidine (or product containing Cinchonine or Cinchonidine) ordered hereby (specify quantity on reverse side) is for use as an anti-malarial agent and will not be sold, transferred or delivered by the undersigned for any other purpose. This certification is made in accordance with the terms of Conservation Order No. M-131-a with which the undersigned is familiar.

Date _____ Name _____
By _____

(In the case of quinidine)

The undersigned hereby certifies that the Quinidine (or product containing Quinidine) ordered hereby (specify quantity on reverse side) is for use (1) as an anti-malarial agent, or (2) in the treatment of cardiac disorders, and will not be sold, transferred or delivered by the undersigned for any other purpose. This certification is made in accordance with the terms of Conservation Order No. M-131-a with which the undersigned is familiar.

Date _____ Name _____
By _____

Such certification shall constitute a representation to the War Production Board and the seller or supplier of the facts stated therein. The seller or supplier shall be entitled to rely on such representation unless he knows or has reason to believe it to be false. Any person making such certification shall use such cinchonine, cinchonidine or quinidine, or product containing these materials, only for the purposes permitted by this order.

(c) *Applicability of order:* The restrictions and provisions of this order shall not apply to:

(1) Any transaction affecting, or any use of, any cinchonine, cinchonidine or quinidine which on June 19, 1942, had been combined or compounded with other materials; but any transaction affecting, or any use of, any cinchonine, cinchonidine or quinidine which is combined or compounded with other mate-

rials after said date, is governed by this order.

(2) Purchases by importers of cinchonine, cinchonidine or quinidine to be delivered from outside the continental United States, provided that any subsequent transaction affecting or use of such materials after their importation is governed by this order.

(d) *Reports.* (1) Every person having in his possession or control at any one place on June 19, 1942, any stock of cinchonine, cinchonidine and/or quinidine, weighing in total more than 10 ounces, shall make a report on Form PD-401A, which shall be filed with the War Production Board before July 10, 1942. (In calculating the weight of any stock, cinchonine, cinchonidine and/or quinidine, which had been combined or compounded with other materials on June 19, 1942, shall not be included.) Failure on the part of any person to file said report as prescribed by this order, shall be deemed a representation to the War Production Board that such person did not have in his possession or control at any one place, on June 19, 1942, any stock of cinchonine, cinchonidine and/or quinidine, weighing in total more than 10 ounces.

(2) All persons affected by this order shall file such other reports as may be required from time to time by the War Production Board.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production, and sales, and shall also preserve any certificates received in accordance with the terms of this order.

(f) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected hereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(g) *Appeals.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board, setting forth the pertinent facts and the reasons such person considers that he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(h) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Health Supplies Branch, Washington, D. C. Ref: M-131-a.

(i) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may

be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of June 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-5743; Filed, June 19, 1942;
11:20 a. m.]

Chapter XI—Office of Price Administration

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COM- PONENT

[Amendment No. 16 to Revised Tire Ration-
ing Regulations¹]

TIRES AND TUBES, RETREADING AND RECAPPING OF TIRES, AND CAMELBACK

In § 1315.501 paragraph (a) is redesignated (a) (1) and a new paragraph (a) (2) is added, in § 1315.504 paragraph (a) (3) is amended and two new paragraphs (a) (3) (iii) and (a) (7) are added; § 1315.801 (d) (4) (i) is amended to read as follows; and §§ 1315.151 (ee), 1315.603 (c) and 1315.610 (c) are added as follows:

§ 1315.151 *Definitions.* * * *

(ee) "Grade II", as applied to tires, means those tires which have a maximum price of less than 88½% of the maximum price for tires established in paragraphs (a), (b), (f), and (n) of §§ 1315.110 and 1315.111 of Price Schedule No. 63² as amended³ or hereafter amended, issued by the Office of Price Administration.

§ 1315.501 *Eligibility of List B passenger automobiles for retreaded or recapped tires or for new Grade II tires.* (a) (1) * * *

(2) The Board may issue a certificate authorizing the holder to accept delivery of a new Grade II tire for a passenger automobile to an applicant who meets the requirements of paragraphs (b), (c), and (d) of this section if, and only if, the applicant establishes that the tire for which application is made:

(i) Is to be mounted on a passenger automobile employed for a purpose included in § 1315.504 (a) (7).

(ii) Is to equip a vehicle purchased without tires, or the tires of which have been stolen, or is to replace a tire which is not capable of being retreaded or recapped, subject to the provisions of § 1315.501 (d) (2) (iii).

A Board issuing a certificate, under this Section, authorizing the holder to accept delivery of a new Grade II tire for a passenger automobile shall mark or

write upon Parts A and B of such certificate the following statement: "Valid for new Grade II tires only".

* * * * *

§ 1315.504 *Eligibility classification:*
List B. * * *

(a) On a passenger car used principally to provide one or more of the following transportation services:

* * * * *

(3) Transportation of executives and employees of establishments employing less than 100 persons, and transportation of executives, engineers, technicians and workers whose occupations or duties are of a nature which cannot reasonably be performed at a fixed place or at regular hours, to and from, between or within such of the following as are essential to the war effort: power generation or transmission facilities, transportation or communication facilities, or agricultural, extractive, industrial, military, or naval establishments.

* * * * *

(iii) Executives, engineers, technicians and workers, of establishments which employ 100 or more persons, whose occupations or duties are of a nature which can reasonably be performed at a fixed place and at regular hours are required to establish eligibility under the provisions of paragraph (a) (7) of this section.

* * * * *

(7) Transportation of executives, engineers, technicians and workers whose occupations or duties are performed at establishments employing 100 or more employees and are of a nature which can reasonably be performed at a fixed place and at regular hours, between their residences and their places of employment, or within such places of employment, at such of the following as are essential to the war effort: power generation or transmission facilities, transportation or communication facilities, or agricultural, extractive, industrial, military, or naval establishments.

(i) The Board shall issue a certificate under this paragraph (a) (7) only if: (a) the applicant is employed at an establishment which has an Organized Transportation Plan; and (b) the applicant presents with his application the written statement provided for in subdivision (iii).

(ii) An Organized Transportation Plan is a plan to transport with a minimum use of tires all war workers who require automobiles for transportation to and from their work. Such a plan shall be organized and administered by a joint management-labor committee, or some similar group or individual designated by agreement between or with the consent of management and labor to coordinate the transportation of the workers.

(iii) Such written statement shall contain a certification that all of the following requirements have been met:

(a) That the applicant is not a temporary or transient worker at such establishment;

(b) That other practicable means of transportation are not available; or that

¹ 7 F.R. 1027, 1089, 2106, 2107, 2541, 2633.

² 7 F.R. 35, 206.

³ 7 F.R. 1323, 1836, 2132, 3036, 3719.

their use requires the applicant to consume more than one hour in going either to or from his work;

(c) That the applicant resides at least two miles from his place of employment; and

(d) That the applicant regularly carries with him at least three other workers of any such establishment, none of whom resides less than two miles from his work; or, if the applicant operates a vehicle having a capacity of less than four, that such vehicle is regularly utilized to its full capacity; or that the applicant cannot transport the requisite number of other workers for the requisite distance because they do not reside near the route regularly traveled by him or do not travel at approximately the same time as he does, but that he regularly transports as many workers as possible.

(iv) No certificate shall be issued under this paragraph (a) (7) unless the Board is satisfied that the applicant meets the other requirements of these regulations, that he is actually participating in an Organized Transportation Plan, and that such plan is administered properly and in good faith.

* * * * *

§ 1315.603 *List B applications for authority to purchase retreaded or recapped tires or retreading or recapping services or new Grade II tires.*

* * * * *

(c) Any person who believes that his passenger automobile comes within § 1315.504 (a) (7) may file with the Board an application for authority to purchase new Grade II tires. Such application shall be filed on OPA Form No. R-1 and OPA Form No. R-1A. A separate application for each passenger automobile for which tires are sought must be made.

* * * * *

§ 1315.610 *Allotment by the Board upon applications for List B vehicles.* * * *

(c) The Board shall grant certificates, not in excess of its applicable quota for the entire month, authorizing the purchase of new Grade II tires to be mounted on passenger automobiles eligible under § 1315.504 (a) (7) when the applicant has satisfied the requirements of § 1315.501.

* * * * *

§ 1315.801 *Permitted and prohibited transfers of new tires and tubes.* * * *

(d) *Transfers to replenish stocks.*

(4) No transfer provided in subparagraphs (1) (2), and (3) of this paragraph (d) may be made except in exchange for the replenishment portion of a certificate (pt. B) for new tires or tubes issued pursuant to § 1315.701 of these regulations (§§ 1315.151 to 1315.1199a, inclusive) or the replenishment portion of a receipt (pt. B) for new tires or tubes issued pursuant to § 1315.804 of these regulations (§§ 1315.151 to 1315.1199a, inclusive).

(i) Any retailer, distributor, wholesaler, or manufacturer using the certificate or receipt to replenish his stock

may purchase the number of new tires or tubes specified thereon and is not required to purchase new tires or tubes of the same size or of the same type, except that the replenishment portion of a certificate which is marked "valid for new Grade II tires only" shall entitle the holder thereof to obtain new Grade II tires only.

* * * * *

§ 1315.1199a *Effective dates of amendments.* * * *

(p) Amendment No. 16 (§§ 1315.151, 1315.501, 1315.504, 1315.603, 1315.610, and 1315.801) to Revised Tire Rationing Regulations shall become effective July 15th, 1942.

(Pub. Law 421, 77th Cong., O.P.M. Supp. Order No. M-15c, W.P.B. Directive No. 1, Supp. Directive No. 1B, 6 F.R. 6792; 7 F.R. 562, 925)

Issued this 19th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5739; Filed, June 19, 1942;
9:49 a. m.]

PART 1378—COMMODITIES OF MILITARY SPECIFICATIONS FOR WAR PROCUREMENT AGENCIES

[Amendment 2 to Maximum Price Regulation 157¹]

SALES AND FABRICATION OF TEXTILES, APPAREL AND RELATED ARTICLES FOR MILITARY PURPOSES

APPLICATIONS FOR ADJUSTMENT OF PRICES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

A new paragraph (c) is added to § 1378.2, as set forth below:

§ 1378.2 *Prohibition against dealing in textiles, apparel and related articles at prices above the maximum.* * * *

(c) Any person who has entered into or proposes to enter into a contract with any war procurement agency of the United States Government, or a subcontract under such contract, who believes that a maximum price established by this Maximum Price Regulation No. 157 impedes or threatens to impede production of any textile, apparel or related article which is essential to the war program, and which is or will be the subject of such contract or subcontract, may file an application for adjustment of the maximum price established by this Maximum Price Regulation No. 157, in accordance with procedural regulations which will be issued by the Office of Price Administration. Upon the filing of an application for adjustment and pending the issuance of an order granting or denying such application, contracts or subcontracts may be entered into, or offered to be entered into, and deliveries may be made, at the price requested in such application: *Provided,*

¹ 7 F.R. 4273.

That final settlement shall be made in accordance with the order and, if required, refunds shall be made.

* * * * *

§ 1378.12 *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§ 1378.2 (c)) to Maximum Price Regulation No. 157 shall become effective July 1, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 18th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5734; Filed, June 18, 1942;
5:03 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Amendment 3 to Rationing Order 3¹]

SUGAR RATIONING REGULATIONS

Paragraph (b) of § 1407.86 and § 1407.88 are amended, two items are added to § 1407.243, and a new paragraph (c) is added to § 1407.222, as set forth below:

Institutional and Industrial Users

§ 1407.86 *Allotments.* * * *

(b) Application for an allotment made during the registration period shall be for the period from the date of registration to June 30, 1942. All subsequent applications shall be for consecutive two month periods, the first of which shall commence on July 1, 1942. Applications shall be made not later than the 5th day of the first month of the period for which the application is being made and not earlier than the 15th day of the month preceding the period. The Board, however, to prevent loss of fresh fruits, vegetables, eggs, or dairy products, or for other purposes authorized by the Office of Price Administration, may permit the application to be made at any time during the month preceding such period and in such cases may permit the application to be made for a period not to exceed one additional month. The Board, in its discretion, may permit an application to be made at any time after the time specified herein, but in such case the Board shall reduce the allotment by the amount allocable to the expired portion of the period, in the proportion which the number of days which have elapsed bears to the total number of days in the period.

§ 1407.88 *Application for certificate.* Registering units which have properly registered on OPA Form No. R-310 (Registration of Institutional and Industrial Users) may apply for a provisional allowance or allotment on OPA Form No. R-314 (Application for Sugar Purchase Certificates by Institutional and Industrial Users). The application shall be signed by one of the persons authorized to file and sign OPA Form No. R-310 or by an agent designated by the owner by a written authorization filed with the Board. The application shall be presented at or mailed to the office of the

¹ 7 F.R. 2966, 3242, 3783.

Board having jurisdiction over the registering unit.

Schedules

§ 1407.243 *Schedule C: Designation of ration periods and weight value of stamps valid therein.*

Ration period	Stamp valid during ration period	Weight value of stamp
* * *	* * *	* * *
No. 5 (June 28 to July 25, 1942).	Stamp No. 5..	2 pounds.
No. 6 (July 26 to Aug. 22, 1942).	Stamp No. 6..	2 pounds.

§ 1407.222 *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§§ 1407.86 (b), 1407.88 and 1407.243) to Rationing Order No. 3 shall become effective June 20, 1942. (Pub. Law 421, 77th Cong., W.P.B., Dir. No. 1 and Supp. Dir. No. 1 E.)

Issued the 19th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5738; Filed, June 19, 1942;
9:48 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Order No. 102]

PART 13—RULES GOVERNING COMMERCIAL RADIO OPERATORS

CERTAIN OPERATORS PERMITTED TO SERVE IN AERONAUTICAL STATIONS

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of June 1942;

Whereas the conditions arising from the war emergency necessitate an increased number of radiotelegraph operators qualified to operate aeronautical and aeronautical fixed stations using type A-1 or A-2 emission and the Commission having under consideration a request of the Defense Communications Board that the Commission consider further relaxation of its rules governing radio operators;

It is ordered, That for a period of five years from the date of this order, or until further order of the Commission, notwithstanding the provisions of § 13.61 of the Commission's Rules Governing Commercial Radio Operators, the holder of a valid first or second class radiotelephone operator license or the holder of a valid restricted radiotelephone operator permit be authorized to act as radiotelegraph operator in an aeronautical or aeronautical fixed station using type A-1 or A-2 emission:

Provided, That the face of the permit or license has been endorsed attesting to the holder's ability to transmit and receive International Morse Code at the rate of at least 16 code groups per minute.

It is further ordered, That the holder of an endorsed radiotelephone operator permit, herein authorized to operate an aeronautical or an aeronautical fixed station using type A-1 or A-2 emission, shall not make any technical adjustments of the equipment which may result in improper operation thereof and that at least one person holding a radiotelegraph or radiotelephone first or second class operator license, or, in lieu thereof, in a station utilizing type A-1 or A-2 emission only, a holder of a restricted radiotelegraph operator permit, shall be regularly attached to the staff of the station and readily available for the purpose of maintaining the station in proper operating condition and in accordance with the technical requirements of the Commission.

Provided, however, That nothing contained herein shall be construed to relieve a station licensee of responsibility for the operation of the station in exact accordance with the Rules and Regulations of the Commission.

By the Commission,

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-5741; Filed, June 19, 1942;
10:40 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1457]

DISTRICT BOARD No. 15

MEMORANDUM OPINION AND ORDER GRANTING TEMPORARY RELIEF

The original petition in the above-entitled matter, filed by District Board No. 15 with this Division pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requests the establishment of temporary price classifications and minimum prices, for shipment by truck, for the coals of certain mines in Putnam County, Missouri, Production Group No.

3 in District No. 15. The petition further requests that permanent price classifications and minimum prices be established for such coals when the final determination is made in Docket No. A-179.

It appears from the petition that the coals of the Clay No. 2 Mine (Mine Index No. 1392) and the Oakdale Mine (Mine Index No. 1613) possess marketing qualities and factors similar to those of other coals heretofore classified and priced and now being produced in Putnam County, Missouri. Those previously priced coals are now subject to the temporary minimum prices set forth in the Order entered December 7, 1940, 5 F.R. 4872, in Docket No. A-179. Pending final determination of the issues in that docket, a petition was filed in Docket No. A-492 wherein it was requested that those minimum prices, made effective temporarily in Docket No. A-179, be made permanent. The two dockets were thereafter consolidated, but, in accordance with a request and stipulation later filed therein by all the parties thereto, there has been no change in the temporary minimum prices made effective by the Order of December 7, 1940, and no order establishing permanent minimum prices has been entered.

In view of the foregoing, it is deemed advisable at this time to establish only temporarily the proposed price classifications and minimum prices for the coals of Mine Index Nos. 1392 and 1613, and that their permanent classification and pricing should await final determination of the related issues raised in Docket Nos. A-179 and A-492.

Now, therefore, it is ordered, That temporary relief, pending final disposition of the original petition in this matter, is hereby granted as follows: Commencing forthwith the Schedule of Effective Minimum Prices for District No. 15 for Truck Shipments is supplemented to include the price classifications and minimum prices set forth below, for truck shipments, for the coals of the Clay No. 2 Mine (Mine Index No. 1392) operated by Chester Clay, and the Oakdale Mine (Mine Index No. 1613) operated by the Oakdale Coal Company (D. D. Butler):

DISTRICT NO. 15 (TRUCK SHIPMENTS)

[Prices in cents per ton for shipment into all market areas]

Mine index No.	Code member	Mine name	Prod. group No.	County	Prices and size group Nos.														
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
1392	Chester Clay.....	Clay #2.	3	Putnam, Mo.	230	230	230	230	230	215	200	190	230	185	210	195	---	135	35
1613	Oakdale Coal Co. (D. D. Butler)	Oakdale.	3	Putnam, Mo.	230	230	230	230	230	215	200	190	230	185	210	195	---	135	35

Notice is hereby given that applications to stay, terminate or modify the temporary relief herein granted may be filed pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to Sec-

tion 4 II (d) of the Bituminous Coal Act of 1937.

Dated: June 18, 1942.

[SEAL]

DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-5750; Filed, June 19, 1942;
11:45 a. m.]

[Docket No. B-146]

ZIMMERMAN COAL COMPANY

ORDER REINSTATING REGISTRATION

In the matter of Zimmerman Coal Company, registered distributor, Registration No. 9985, respondent.

An Order having been entered in the above-entitled matter on May 7, 1942, suspending the registration of the above-named distributor for a period of thirty days from the date of the service of said Order upon said distributor; and

Said Order having been served on the above-named distributor on May 11, 1942; and

An affidavit dated June 3, 1942, having been filed on June 6, 1942, by said distributor with the Bituminous Coal Division, pursuant to the provisions of § 304.15 of the Rules and Regulations for the Registration of Distributors and of said Order of Suspension dated May 7, 1942, respectively, and

It appearing that said affidavit complies with the provisions of said § 304.15 of said Rules and Regulations for the Registration of Distributors and of said Order of Suspension dated May 7, 1942, respectively.

Now, therefore, it is ordered, That the registration of Zimmerman Coal Company as a registered distributor, Registration No. 9985, be and the same is hereby reinstated effective as of June 11, 1942, at 12:01 a. m.

Dated: June 18, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-5751; Filed, June 19, 1942;
11:45 a. m.]

[Docket No. A-1497]

DISTRICT BOARD 15

NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 15—For revision of the effective minimum prices for certain coals produced in District No. 15.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on July 8, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Charles S. Mitchell or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to

administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before July 3, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 15 requesting:

1. That the effective minimum prices for coals produced in Production Group Nos. 1, 2, 4, 5, 10 and 11 in District No. 15 for shipment by rail into Market Area No. 75 (Greater Kansas City) be increased by the following amounts in cents per ton:

Size groups	Production group No. 1	Production group No. 2	Production group No. 4	Production group No. 5	Production group No. 10	Production group No. 11
Domestic and Commercial:						
1			02	02		
2			02	02		
3			02	02		
4			02	02		
5			02	02		
6			02	02		
7			02	02		
8			02	02		
10			02	02		
11	01	02	03	03	01	01
12	01	02	03	03		
13	01	02				
14		02	02	02		
Industrial:						
12	01	02	03	03		
13	01	02				
14		02	02	02		

2. That the effective minimum prices for coals produced in Production Group No. 4 in District No. 15 for shipment by rail into Market Area 78 (St. Joseph,

Missouri, and switching limits thereof, including the St. Joseph, Missouri, Water Works), be increased by the following amounts in cents per ton:

	Size Groups	Prod. Group No. 4
Domestic and commercial	1	02
	2	02
	3	02
	4	02
	5	02
	6	02
	7	02
	8	02
	9	02
	10	02
	11	02
	12	02
	14	02
	12	02
Industrial	13	02
	14	02

Dated: June 18, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-5752; Filed, June 19, 1942;
11:45 a. m.]

[Docket No. A-1362]

DELTA COAL MINING COMPANY

ORDER GRANTING MOTIONS TO POSTPONE AND DENYING MOTION TO REMOVE HEARING

In the matter of the petition of Delta Coal Mining Company, a code member in District No. 10, for minimum f. o. b. mine prices for f. a. s. delivery from mines in District No. 10 to Minneapolis Street Railway Company, at Minneapolis, Minnesota, pursuant to section 3 (a), special river price instructions and exceptions, schedule of effective minimum prices for District No. 10 for all shipments except truck, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Delta Coal Mining Company, petitioner, has moved that the hearing in the above-entitled matter heretofore scheduled to be held in Washington, D. C., on June 22, 1942, be postponed until July 1 and removed to Minneapolis, Minnesota. District Board No. 7, an intervenor, has moved that the hearing be postponed to a date subsequent to July 13.

Petitioner estimates that the hearing in this matter will require three days and therefore, requests the postponement in order to enable its counsel to participate in certain other proceedings heretofore scheduled before the Division for June 23 and 24, 1942. This request appears to be reasonable.

District Board No. 7 states that its principal witness cannot be available to testify during the first week in July, but that he will be available during the week beginning on July 13. The District Board asks, therefore, that the hearing be postponed until subsequent to July 13. It appears, however, that the District Board will be able to proceed with the hearing on July 13.

Petitioner also requests that the hearing be removed to Minneapolis, Minnesota, in order to accommodate four prospective witnesses. In view of the fact that several other persons have intervened in this matter and after full consideration of all circumstances, the Acting Director is of the opinion that the hearing should not be removed to Minneapolis.

Now, therefore, it is ordered, That the hearing in the above-entitled matter be postponed from 10 o'clock in the forenoon of June 22, 1942, to 10 o'clock in the forenoon of July 13, 1942, at the place and before the officers heretofore designated.

Dated: June 18, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-5753; Filed, June 19, 1942;
11:45 a. m.]

[Docket Nos. 895-FD and C-5]

B. F. GOODRICH COMPANY

APPLICATIONS DISMISSED OR WITHDRAWN

In the matter of the application of the B. F. Goodrich Company for a determination of the status of coal produced on land owned by the said company at Stark County, Ohio, pursuant to the second paragraph of section 4-A of the Bituminous Coal Act of 1937; and

In the matter of the application of the B. F. Goodrich Company for a determination of the status of coal produced on land owned by the said company in Tuscarawas County, Ohio, pursuant to the second paragraph of section 4-A of the Bituminous Coal Act of 1937.

The B. F. Goodrich Company, applicant in the above-entitled matters, moved on June 16, 1942 to dismiss all applications for exemption in Docket No. 895-FD because all coal has been removed from the lands involved and the applicant no longer has any interest therein.

The applicant on the same day also moved to withdraw its application for exemption in Docket No. C-5 on the ground that as of June 22, 1942, the agreement for the mining of coal upon which the application was based, has been terminated and the mining operations assumed by the applicant in its own name with its own employees. Concurrently, it filed an application for exemption covering the coal to be mined under the operations commencing on June 22, 1942.

It appears from the foregoing that the hearing in these matters heretofore scheduled for June 19, 1942, should be cancelled.

Now, therefore, it is ordered, That the application for exemption in Docket No. 895-FD be, and hereby are dismissed.

It is further ordered, That the application for exemption in Docket No. C-5 is deemed to be withdrawn, effective June 22, 1942.

It is further ordered, That the hearing in the above-entitled matters, heretofore

scheduled for June 19, 1942, be, and hereby is, cancelled.

Dated: June 18, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-5754; Filed, June 19, 1942;
11:46 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 717]

JACK ADLER COMPLAINT CASE

NOTICE OF HEARING

In the matter of the complaint of Jack Adler against Chicago and Southern Air Lines, Inc., under section 1002 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 1002 of said Act, in the above-entitled proceeding, that hearing is assigned to be held on June 30, 1942 at 10:00 o'clock a. m. (central standard time), Stevens Hotel, Michigan Boulevard between 7th and 8th Streets, Chicago, Illinois.

Dated Washington, D. C., June 16, 1942.

[SEAL] BERDON M. BELL,
Examiner.

[F. R. Doc. 42-5740; Filed, June 19, 1942;
10:08 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Administrative Order No. 6]

W. P. WOOD, DOING BUSINESS AS WOOD AUTO SUPPLY

DELEGATION OF AUTHORITY TO ISSUE SUB- POENAS AND TO CONDUCT HEARING

Pursuant to the authority conferred upon the Administrator by War Production Board Directive No. 1, as supplemented, and by paragraph 3 of Executive Order No. 9125, the following order is prescribed:

(a) In connection with the pending investigation concerning alleged violations of the Tire Rationing Regulations by W. P. Wood, doing business as Wood Auto Supply, Okemah, Oklahoma, O. K. Wetzel Chief Attorney, Field Office, Oklahoma City, Oklahoma, is authorized to sign and issue subpoenas requiring any person whose attendance and testimony is necessary or proper to the conduct of said investigation to appear or testify or to appear and produce documents, or both.

(b) In connection with the investigation referred to in paragraph (a) above, said O. K. Wetzel is authorized to hold and conduct a hearing concerning said alleged violations, to act as chairman of said hearing, to administer oaths and affirmations, and to exercise any discretion necessary or appropriate to the proper conduct of said hearing.

Issued and effective this 18th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5735; Filed, June 18, 1942;
5:02 p. m.]

[Order No. 8 under Revised Price Schedule No. 64—Domestic Cooking and Heating Stoves]

HAMMER-BRAY COMPANY, LTD.

APPROVAL OF MAXIMUM PRICES

On April 11, 1942, Hammer-Bray Company, Ltd., Oakland, California, filed a petition for amendment of Revised Price Schedule No. 64. From the exhibits submitted by the company in connection with its petition it appeared that there were four models of gas ranges: namely, Nos. 33-V, 133-V, 63-V, and 300-V, introduced subsequent to June 1, 1941, the maximum prices for which had never been approved by the Office of Price Administration, as required by § 1356.1 (d) of Revised Price Schedule No. 64.

On March 26, 1942, the company filed an application, pursuant to § 1356.1 (d) of Revised Price Schedule No. 64, for approval of maximum prices for seven new models of gas ranges, designated in the application as models Nos. 8120, 8160, 8130, 7320, 7162, 7132, and 732.

Due consideration has been given to the information submitted by the company in its petition with respect to the four models mentioned and also to the application filed on March 26, 1942, and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:

(a) Hammer-Bray Company, Ltd., may sell, offer to sell, or deliver the following models at prices no higher than those specified:

	F. o. b. factory
63-V-----	\$79.94
33-V-----	64.56
300-V-----	88.16
133-V-----	70.39
8120-----	132.00
8160-----	123.00
8130-----	111.00
7320-----	103.89
7162-----	107.04
7132-----	86.72
732-----	87.00

subject to discounts, allowances, and terms no less favorable than those in effect with respect to the maximum prices of the respective comparable old models, 63-B, 33-B, 300-B, 220-BF, 560-BF, 530-BF, 320-B, 162-B, 132-B, and 32-B, as established under Revised Price Schedule No. 64.

(b) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 8 shall become effective on the 20th day of June 1942.

Issued this 19th day of June 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-5737; Filed, June 19, 1942;
9:49 a. m.]

